

**ZANZIBAR GOVERNMENT**

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**LEGISLATION 1966**

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**ZANZIBAR  
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I ASSENT,

ABEID A. KARUME,

President

**PRESIDENTIAL DECREE NO. 1 OF 1966**

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**A DECREE TO MAKE PROVISION FOR THE INCORPORATION  
OF PUBLIC ENTERPRISES AND FOR MATTERS CONNECTED  
THEREWITH AND INCIDENTAL THERETO**

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IN EXERCISE of the powers conferred by the Legislative Powers Law, 1964 the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the following Decree:-

1. This Decree may be cited as the Public Enterprise Decree, 1966.

Short title.

2. -(1) The President may by order published in the Gazette establish any public Enterprise for the purpose of carrying on any business, trade or understaking for the purpose of providing any service.

Power to  
establish  
Public Enter-  
prise

(2) Such order shall state-

(a) the name and composition of the Public Enterprise;

(b) the Minister responsible for the Public Enterprise;

(c) the objects of the Public Enterprise;

(d) the Head Office of the Public Enterprise;

(e) the nominal Capital of the Public Enterprise; and

(f) the date of incorporation of the Public Enterprise which may be a date earlier than the date of the order made under subsection (1).

(3) On publication of such order the Public Enterprise shall with effect from the date of its incorporation become by its name a body corporate with perpetual succession and a common seal and all the provisions of this Decree shall apply to any Public Enterprise so established.

(4) In such order the President may exempt any Public Enterprise from complying with the requirements of any law either temporarily or permanently.

Control of operations of Public Enterprise.

3.-(1) The operation of a Public Enterprise shall be controlled by an Advisory Board, consisting of not less than five and not more than twelve members to be appointed by the Minister.

(2) Every member appointed shall represent a particular Ministry or Organisation directly concerned with the running of the Public Enterprise

(3) The Chairman of the Board shall be appointed by the President.

(4) The name of every member of the Board shall, as soon as practicable after his appointment, be published in the *Gazette*.

(5) If any member of the Board at any time prevented from attending the meetings of the Board through absence from Zanzibar with the permission of the Minister or through illness, or from any other cause, the Minister of Organisation which such member represents may nominate some other person to replace such member during his absence.

(6) The Board may at any time terminate the appointment of any member of the Board.

Meetings of Board.

4.-(1) The Board shall meet at least once a month for the purpose of dealing with the functions of a Public Enterprise and in particular for the purpose of reviewing the financial position.

(2) At such meeting the General Manager shall report fully to the Board on the activities of the Public Enterprise.

(3) The Chairman may invite visitors to a meeting of the Board but they will not have the right to a vote.

Appointment of General Manager.

5.-(1) The President shall at such salary and upon such conditions of service as he may determine appoint a General Manager for a Public Enterprise and may in like manner appoint a Deputy to the General Manager.

(2) The General Manager shall be the Chief Executive Officer of a Public Enterprise and shall be present at all meetings of the Board, unless he has obtained leave of absence from the President, or is incapacitated by sick-

ness or other cause.

(3) In the event of the absence of the General Manager, the President may, on such terms as he may determine, by order in writing appoint any person to act as General Manager during the period of such absence, and the person so appointed may exercise all the powers and perform all the duties by this Decree exercisable or to be performed by the General Manager.

(4) The General Manager may delegate any of his powers to his Deputy.

6.-(1) The General manager shall prepare a plan of the distribution of labour of the Staff under him and the requisit number of staff. Such plan shall be submitted for the approval of the Minister. On approval, the plan shall represent the approved establishment of a Public Enterprise.

Staff

(2) The General Manager may engage such number of clerks and other staff as fall within the approved establishment and may in like manner terminate the appointment of any clerk or other member of the staff.

(3) The person so engaged shall be employed on such terms and conditions as the Cabinet may determine and shall perform such duties as are specified in the plan prepared under subsection (1) as may be assigned to them by the General Manager.

7.-(1) Every Public Enterprise shall be subordinate to a Minister who would exercise supervision and control and issue directions and instructions in principle for the carrying out of the functions and duties of a Public Enterprise.

Responsibility  
of Minister  
and General  
Manager

(2) The General Manager shall be ultimately responsible for the overall management of a Public Enterprise. Within the framework of the directions and instructions in principle received from the Minister he shall have power to give orders to members of his staff. In making his decisions the General Manager should consider the advice tendered to him by those directly with the running of the Public Enterprise.

8.-(1) The Chairman shall preside at all meetings of the Board unless he has obtained leave of absence from the Minister or is absent on duty or is incapacitated by sickness or other cause.

Functions of  
Chairman

(2) In the event of the absence or incapacity of the Chairman the

Minister may appoint any member of the Board to act as Chairman and preside at all meetings of the Board during such absence or incapacity.

Expenses of Administration. 9. The salary and allowance of the General Manager, of his assistants and of the clerks and other staff employed by any Public Enterprise and all other expenditure incurred by any Public Enterprise shall be paid out of its funds.

Exemption from stamp duty and other charges. 10. Notwithstanding the provisions of any law providing for the registration of documents or the payment of stamp duties, no certificate, instrument or other document issued by or in favour of any Public Enterprise acting within the powers conferred upon it by this Decree or otherwise shall be subject to stamp duty, registration fee or any charge of a similar nature; nor shall any Public Enterprise be liable for the payment of any search or inspection fee in any registration office.

Execution of documents and signing of cheque. 11. All deeds, instruments, contracts, cheques and other documents shall be deemed to be duly executed by or on behalf of, any Public Enterprise if signed by the General Manager or other member duly authorised by him in that behalf and the Senior Accountant in every Public Enterprise.

Quorum and proceedings of the Board. 12.-(1) The quorum for a meeting of the Board shall not be less than half the members of the Board.

(2) All acts, matters and things authorised and required to be done by the Board shall be decided by resolution of any meeting at which a quorum is present; and the Chairman at any meeting shall, in addition to his deliberative vote as a member of the Board, have a casting vote.

(3) Every resolution passed at any meeting of the Board shall be binding on the General Manager. In case the General Manager disagrees with the terms of any resolution he shall refer the resolution together with his views thereon to the Minister whose decision in the matter shall be final.

General and Specific Power of Public Enterprise. 13.-(1) For the purpose of enabling a Public Enterprise to carry out its objects and discharge its functions it shall have power-

(a) to enter into contracts;

(b) to acquire, hold and dispose of movable and immovable property;



(c) to receive, disburse, borrow and lend moneys;

(d) to sue and be sued in its corporate name.

(2) The President may by order confer on a Public Enterprise special powers for the purpose of enabling it to carry out its objects and discharge its functions.

14.-(1) A Public Enterprise shall, upon terms and conditions as the President may approve, have power to raise funds by obtaining from a bank an overdraft guaranteed by the Government both as to principal and interest.

Power to obtain overdraft from a bank.

(2) Any funds raised under the authority of subsection (1) shall be chargeable upon and payable out of the revenue and assets of a Public Enterprise.

15. The accounts and annual estimates of a Public Enterprise shall be kept and audited in accordance with the provisions of the Budgetary System Decree, 1965.

Account Decree No. 2 of 1965.

16.- (1) The President shall appoint a Registrar of Public Enterprise to perform the duties imposed by this Decree.

Registrar of Public Enterprise.

(2) The Registrar shall maintain a register containing the following particulars:-

(a) the name of the Public Enterprise;

(b) the objects of the Public Enterprise;

(c) the Head Office of the Public Enterprise;

(d) the names of the General Manager and his Deputy, as well as the First Accountant;

(e) the nominal capital of the Public Enterprise;

(f) the Ministry responsible for the Public Enterprise;

(g) the Chairman and the members of the Board, if any.

Dissolution,  
amalgam-  
ation and re-  
construc-  
tions

17.-(1) The President may by order dissolve any Public Enterprise, amalgamate any two or more Public Enterprises or re-construct a Public Enterprise into two or more Public Enterprises.

(2) Such order shall set out the terms of dissolution, amalgamation or re-construction as the case may be.

Interpreta-  
tion.

18. In this Decree, unless the context otherwise requires-

“Board” means the Board established under section 3;

“Minister” means the Minister stated in the order made under section 2 (2) to be responsible for the Public Enterprise;

“Public Enterprise” means the Public Enterprise established under section 2;

“Registrar” means the Registrar of Public Enterprise appointed under section 16.

Made at Zanzibar this 1st day of January, 1966.

**MAKAME MZEE,**  
**Secretary to the Revolutionary Council**

I ASSENT,

ABEID A. KARUME.

President

## **PRESIDENTIAL DECREE NO. 2 OF 1966**

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### **A DECREE TO AMEND THE CRIMINAL PROCEDURE DECREE**

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IN EXERCISE of the powers conferred by the Legislative Powers Law, 1964 the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the following Decree:-

1. This Decree may be cited as the Criminal Procedure (Amendment) Decree, 1966 and shall be read as one with the Criminal Procedure Decree, hereinafter referred to as the Principal Decree.

Short title.  
Cap. 14.

2. The Principal Decree is amended by the repeal of the whole of PART II (POWER OF COURTS) and the substitution thereof, under the same title, of the following new sections:

New Section  
substituted  
for old ones in  
principal  
Decree.

#### **"PART II"**

#### **POWERS OF COURT**

4.-(1) Subject to the other provisions of this Decree and the provisions of sub-section (2) of this section, any offence under the Penal Decree may be tried by the High Court, or by any Subordinate Court by which such offences shown in the fifth column of the said schedule to "Subordinate Court of the first, second or third class" shall be construed as being reference to a District Court whereas reference to "any Magistrate or a Primary Court Magistrate.

Offences  
under Penal  
Decree:  
Cap.13.  
Schedule I.

(2) The jurisdiction of a Subordinate Court presided over by a Resident Magistrate shall extend to and include the trial of the offences

falling under the following sections of the Penal Decree, namely, sections 121,125 (1), 142, 143, 147, 148, 159 (2), 260 (2), 292, 310 (2),(3),(4) and 311.

Offences under other laws; Cap. 13. Schedule I.

5.- (1) Any offence under any law other than the Penal Decree shall when any court is mentioned in that behalf in such law, be tried by such court.

(2) When no court is so mentioned, it may, subject to the other provisions of this Decree, be tried by the High Court, or by any Subordinate Court by which such offences is shown in the fifth column of the First Schedule to be triable.

Sentences which High Court may pass.

6. The High Court may pass any sentence or make any other order authorised by law.

Sentences which Resident Magistrates and District Magistrates may pass.

7. A Subordinate Court presided over by a Resident Magistrate or a District Magistrate may, in the cases in which such sentences are authorised by law, pass the following sentences:-

- (a) imprisonment for a term not exceeding three years;
- (b) a fine not exceeding three thousand shillings;
- (c) corporal punishment not exceeding 24 strokes.

Sentences which Primary Court Magistrates may pass.

8. A primary Court Magistrate may, in the exercise of his criminal jurisdiction, in cases in which such sentence are authorized by law, pass the following sentences:-

- (a) imprisonment for a term not exceeding 12 months;
- (b) a fine not exceeding one thousand shillings;
- (c) corporal punishment not exceeding 12 strokes.

Combination of sentences.

9.-(1) Any Court may pass any lawful sentence combining any of the sentences which it is authorised to pass.

(2) When a person is convicted at one trial of two or more distinct of-

fences the Court may sentence him for such offences to the several punishments prescribed therefor which such Court is competent to impose; such punishments, when consisting of imprisonment, to commence the one after the expiration of the other in such order as the Court may direct, unless the Court directs that such punishments shall run concurrently.

Sentences in case of conviction of two or more offences at one trial.

(3) In the case of consecutive sentences it shall not be necessary for the Court, by reason only of the aggregate punishment for the several offences being in excess of the punishment which it is competent to impose on conviction for a single offence, to send the offender for trial before a higher Court:

Mode of passing consecutive sentences.

Provided as follows-

- (a) in no case shall such person be sentenced to imprisonment for a longer period than fourteen years; and
- (b) if the case is tried by a Subordinate Court the aggregate punishment shall not exceed twice the amount of punishment which the Court is in the exercise of its ordinary jurisdiction, competent to impose.

(4) For the purposes of appeal the aggregate of consecutive sentences imposed under this section in case of convictions for two or more offences at one trial shall be deemed to be a single sentence.

10.-(1) Where under the provisions of this Decree a District Court convicts any adult of an offence, then if on obtaining information as to the character and antecedents of such adult or as to the circumstances and the prevalence of the offence the Court is of the opinion that they are such that greater punishment should be inflicted for the offence than the Court has power to inflict, the Court may, instead of dealing with him in any other manner, commit the offender in custody to the High Court for sentence in accordance with the following provisions of this section.

District Courts may commit convicted persons to High Court for sentence.

(2) Where any offender is committed to the High Court for sentence under the provisions of this section, the High Court shall inquire into the circumstances of the case and shall either remit the case for sentence to the Court which committed the offender, or deal with the offender in any manner in which he could have been dealt with by the

High Court if he had been convicted by the High Court of the offence in question.

(3) (a) If under the provisions of subsection (2) of this section the High Court remits the case for sentence to the Court which committed the offender, the provisions of this Decree with regard to revision, confirmation of such sentence and appeal against conviction or sentence shall apply as for any other case tried by a Subordinate Court.

(b) If the High Court imposes a sentence on the offender, the provisions of this Decree with regard to an appeal against conviction only shall apply as for any other case tried by a Subordinate Court.

(c) If the High Court imposes a sentence on the offender, the offender may appeal against such sentence only to the Court of Appeal for Eastern Africa in the same manner as if he had been convicted by the High Court and the provisions of this Decree relating to appeal against sentence from the High Court to the Court of Appeal for Eastern Africa shall apply accordingly:

provided that if the High Court imposes a sentence which the court which committed the offender would have had power to impose, no appeal shall lie against such sentence.

(4) The High Court may in its discretion postpone its inquiry under the provisions of subsection (2) of this section until the expiration of the time for filing notice of appeal against conviction, and if such notice has been filed before the High Court commences such inquiry, the High Court may at its discretion postpone such inquiry until final determination of such appeal or subsequent appeals or for such lesser period as the Court may deem fit.

(5) Where a person who has been committed in custody to the High Court for sentence in accordance with the provisions of subsection (1), files a notice of appeal against his convictions, the High Court or the Subordinate Court which convicted such person may, for reasons to be recorded by it in writing, grant bail with or without sureties pending the hearing of such appeal.

(6) The provisions of this section shall be so construed as to enable the High Court in its consideration of any case thereunder to exercise its powers of revision under section 340 in the same manner as if the

record of the proceedings had under that section been reported to the High Court for orders.

11. When Primary Court Magistrate convicts any adult of an offence and, on obtaining information as to character and antecedents of such adult or as to the circumstances or prevalence of the offender, the Court is of the opinion that they are such that greater punishment should be imposed for the offence than the Court has power to impose, the Court may, instead of dealing with him in any other manner, commit the offender in custody to a District Court for sentence.

Primary Court may commit convicted persons to District Court for sentence.

12. Section 249 of the Principal Decree is amended by deleting therefrom the words "with the consent of the accused person or his advocate" appearing in the third line thereof.

Amendment of section 249 of the principal Decree.

13. Section 323 of the Principal Decree is amended by-

(a) repealing subsection (1) thereof and substituting the following new subsection:-

Amendment of section 323 of the principal Decree.

(1) Save as hereinafter provided any person convicted on a trial held by any District Court and either party to an appeal from a District Court against a decision of a District Court in its appellate jurisdiction may appeal to the High Court and shall be so informed by a magistrate at the time when sentence or judgment is passed.

(b) by repealing subsection (3) thereof.

Made at Zanzibar this 1st day of January, 1966.

**MAKAME MZEE,**  
**Secretary to the Revolutionary Council**

## **CHAPTER**

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### **COURTS DECREE**

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#### **ARRANGEMENT OF SECTIONS**

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5. Establishment of Subordinate Courts.
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I ASSENT,

ABEID A. KARUME.  
President

**PRESIDENTIAL DECREE NO. 3 OF 1966**

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**A DECREE TO MAKE PROVISION FOR THE ADMINISTRATION OF JUSTICE THE CONSTITUTION OF THE COURTS AND THEIR JURISDICTION AND FOR MATTERS CONNECTED THEREWITH AND INCIDENTAL THERETO**

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IN EXERCISE of the powers conferred by the Legislative Powers Law, 1964 the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the following Decree:-

1. This Decree may be cited as the Court Decree, 1966. and shall come into operation on the 1st day of January, 1966.

Short title  
and com-  
mencement.  
Interpretation.

2. In this Decree, unless the context otherwise requires-  
"district court" means a Subordinate Court in which a District Magistrate has, or is deemed to have, and can normally exercise jurisdiction;

"district magistrate" means any Magistrate so designated and includes a Resident Magistrate;

"High Court" means the High Court established by presidential Decree No. 2 of 1964;

"magistrate" means a Primary Court Magistrate, District Magistrate or a Resident Magistrate;

"registrar" means the Registrar of the High Court and includes any Deputy or District Registrar;

"subordinate court" means any Court established under or referred to in section 5 of this Decree.

3.-(1) The High Court shall have and use a seal bearing the style of the court and device approved by the Chief Justice.

Seals and  
stamps of  
Courts.

(2) Subordinate Courts shall have and use seal and stamps of such nature or pattern as the Chief Justice may order.

Registrars and other Officers of the High Court

4.-(1) The Chief Justice may assign duties to and confer powers on persons appointed as Registrar, clerks, bailiffs, interpreters and other Officers of the High Court as he thinks fit and such persons shall have the powers so conferred.

(2) The Registrar of the High Court and any other Officers of the Court designated in that behalf by the Chief Justice may administer oaths and take affidavits, declarations and affirmation.

Establishment of Subordinate Courts.

Cap. 58.

5. there shall be Courts subordinate to the High Court as follows:-

- (a) District Courts;
- (b) Kathis' Court;
- (c) Primary Courts;
- (d) Juvenile Court established under the Children and Young Persons Decree.

Place of sitting of Subordinate Courts.

6. Subordinate Courts shall be held at such places within the local limits of their jurisdiction as the Chief Justice may from time to time direct.

Resident Magistrates, District Magistrates, kadhis and Primary Courts Magistrates.

7. There shall be Resident Magistrates, District magistrates, Kathis and Primary Court Magistrates, and subject to the provisions of this section their powers and jurisdiction shall be such as are conferred upon them respectively by this Decree;

Provided that, subject to the provisions of any other Decree to the contrary, it shall be lawful for any Magistrate to take cognisance of and make orders in relation to any preliminary or interlocutory proceedings in any proceedings triable by a Magistrate's Court.

Appointment of Magistrates and Kadhis

8. The President may, after consultation with the Chief Justice, appoint any person, who is qualified, to be a Resident Magistrate, a District Magistrate, a Kathi or a Primary Court Magistrate and notice of such appointment, specifying the area within which such person shall exercise jurisdiction, shall be published in the *Gazette*.

Appointment of Special Magistrates and Kadhis.

9.-(1) Whenever the proper administration of Justice so requires, the President after consultation with the Chief Justice may, by notice in

the Gazette, appoint any person, who is qualified, to be a Resident Magistrate, a District Magistrate, a Kathi or a Primary Court magistrate and may confer upon any such person the power to hold a Subordinate court of such class as may be specified.

(2) An appointment under this section may be made in respect of particular cases or functions or of a particular case or function or of a Particular class of cases or functions.

10. The limits within which Subordinate Courts shall exercise their jurisdiction shall be as follows:-

Local limits of Jurisdiction of Subordinate Courts.

A Resident Magistrate .. .. Within Zanzibar

A District Magistrate or a Kathi .. Within the limits of the place to which the Magistrate or the Kathi is as signed.

A Primary Court Magistrate .. Within the limits of the District in which he is situated.

Provided that the Chief Justice may, by notice in the *Gazette*, appoint any other limits within which any Subordinate Court may exercise jurisdiction, and every such appointment may be in respect of particular cases or a particular case or a particular class of cases or cases generally.

11. The Chief Justice may from time to time assign each or any of the Resident Magistrate to such place or district as he shall think fit and every such magistrate or Kathi shall forthwith exercise jurisdiction in such place or district, as the case may be.

Jurisdiction of Subordinate Courts.

12. Any Magistrate or Kathi may administer oath and take affidavits, declarations and affirmations.

Power of Subordinate Courts to administer oath.

13.-(1) A Subordinate Court presided over by a Resident Magistrate or a District Magistrate shall exercise jurisdiction in both civil and criminal matters and in all other matters in respect of which jurisdiction is conferred upon such a Court.

Jurisdiction and powers of Subordinate Courts.

(2) A Resident Magistrate shall have jurisdiction to hear all suits and proceedings of a civil nature but such jurisdiction shall be limited:-

- (a) in proceedings for the recovery of possession of immovable property, to proceedings in which the value of the property does not exceed two hundred thousand shillings; and
- (b) in other proceedings where the subject matter is capable of being estimated at a money value, to proceedings in which the value of the subject matter does not exceed twenty thousand shillings.

Powers of Resident Magistrates.

(3) A District Magistrate shall have and exercise original jurisdiction in proceedings of a civil nature in all cases wherein the subject matter can be estimated at a money value that does not exceed ten thousand shillings.

(4) In criminal matters the jurisdiction of Subordinate Courts shall be that which is assigned to them by the Criminal Procedure Decree.

Powers of Kadhis.

(5) The jurisdiction of Kadhis' Courts shall be limited to:-

- (a) matters relating to personal status, marriage, divorce, guardianships and subject to the provisions of any other law for the time being in force, the custody of children in cases in which the parties are Muslims of the Ibadhi sect or the Shafei sect;

matters relating to wakfs, religious or charitable trusts, gifts inter vivos and inheritance where the claim in respect of any such matter does not exceed five thousand shillings, in cases in which the parties are Muslims of the Ibadhi sect or the Shafei sect;

- (c) claims for maintenance, where such claim is for a lump sum not exceeding five thousand shillings or for a periodical payment to be made at a rate not exceeding five hundred shillings per month, in cases in which the parties are Muslims of the Ibadhi sect or the Shafei sect; and
- (d) suits and proceedings of a civil nature in which the subject matter can be estimated at a money value and does not exceed five thousand shillings.

(6) Primary Courts Magistrates shall exercise jurisdiction in civil criminal and other matters and shall have jurisdiction to try and determine cases:-

Powers of  
Primary  
Courts Magis-  
trates.

- (a) in civil matters in which the subject matter can be estimated at a money value and does not exceed two thousand shillings; and
- (b) in criminal matters in which the sentence that may be imposed is one that does not exceed twelve months' imprisonment or a fine not exceeding one thousand shillings or corporal punishment not exceeding twelve strokes.

(7) The jurisdiction of Primary Courts in criminal matters shall be limited to the offences set out in the Schedule to this Decree.

(8) Primary Courts' Magistrates shall not have jurisdiction-

- (a) to hold a preliminary inquiry under Part VII of the Criminal Procedure Decree; or
- (b) to hold an inquest under sections 359 and 360 of the Criminal Procedure Decree; or
- (c) to try any case concerning personal status, marriage, divorce, guardianship, custody of children, wakfs, religious or charitable trusts, gifts inter vivos, inheritance or maintenance except-
  - (i) where the parties are both of the same religion and the claim is one for dowry only; or
  - (ii) where the claim is one of maintenance of a wife or child (whether legitimate or illegitimate) and such claim does not exceed one hundred shillings per week in respect of a wife or fifty shillings per week in respect of any child; or
  - (iii) Where the claim is in respect of land which is alleged by any of the parties to be land occupied in accordance with local or tribal custom.

Right of audience in Kadhis' and Primary Courts.

14. No Advocate or Public Prosecutor may appear on behalf of any party before a Kadhi or a Primary Court Magistrate;

Provided that a kadhi or a Primary Court Magistrate may permit the husband or wife or guardian or any relative or any servant or the master or any inmate of the household of any plaintiff or defendant who shall satisfy the Kadhi or the Primary Court Magistrate that he or she has authority in that behalf, to appear and act for such plaintiff or defendant.

Powers of Chief Justice as to distribution of business

15. The Chief Justice shall have power to direct the distribution of business between any of the Courts constituted by this Decree and may order that any particular case or class of cases shall be tried either before the High Court or before any Subordinate Court of competent jurisdiction whether or not any proceedings therein have been instituted or taken in or before the Court which would ordinarily have jurisdiction to enquire into or hear such case.

Powers to call assessors.

16. In any civil suit or proceedings any Court may on, application made in that behalf by any party or of its own motion, call in the assistance of one or more assessors specially qualified, and shall in that case record the opinion of such assessor or assessors:

provided that no assessor shall have any voice in the decision of the Court.

Registers and returns by Subordinate Courts

17. Each Subordinate Court shall keep registers of cases tried therein and furnish returns of such cases to the High Court in such manner as the Chief Justice may from time to time direct.

Appeals from Primary Courts.

18.-(1) Subject to the provisions of this Decree or any other law:-

(a) in proceedings of a criminal nature, any person who is convicted of an offence by a primary Court;

(b) in Civil suits and in any other proceedings, any party who is aggrieved by a decision or an order of a Primary Court,

may appeal against such conviction, decision or order to the District Court of the district for which the Primary Court is established.

(2) No appeal shall be allowed by the District Court:-

- (a) in any case of an accused person convicted on his own plea of guilty before a primary Court, except against sentence or an order for the payment of compensation;
- (b) in any case in which a Primary Court has passed a sentence of a fine not exceeding thirty shillings only or made an order for payment of compensation not exceeding thirty shilling only save with the leave of the District Court.

(3) Every appeal to a District Court shall be by way of petition and shall be filed in the District Court within thirty days after the date of conviction, decision or order against which the appeal is brought:

Provided that-

- (a) the District Court may extend the time for filing an appeal either before or after such period has expired; and
- (b) the District Court may permit an appellant to state the grounds of his appeal orally and shall record the same and hear the appeal accordingly.

(4) In the exercise of its appellate jurisdiction a District Court shall have power:-

- (a) to direct a Primary Court to take additional evidence and to certify the same to the District Court, or, for reasons to be recorded in writing, itself to hear additional evidence;
- (b) to confirm, reverse, amend or vary in any manner the decision or order appealed against (including the power to substitute a conviction and sentence for an acquittal), so however that the decision or order as altered shall not be in excess of the jurisdiction of the Primary Court:

Provided that no conviction or conviction and sentence shall be substituted for an acquittal, and no sentence shall be enhanced, unless the accused or convicted person, as the case may be, shall have first been given an opportunity of being heard;

- (c) to quash any proceedings and, where it is considered

desirable, to order the case to be heard *de novo* either before the Court of first instance or some other Primary Court or any other Court having jurisdiction:

Provided that where an order that any proceedings, criminal or civil, be quashed and the case be reheard *de novo* is made as aforesaid, no plea of *res judicata* or of *aut refois acquit* or of *atrefois convict* shall be entertained in respect of any order or decision in the proceedings quashed;

(d) to make any other decision or order which might have been made or to exercise any power which might have been exercised by the Primary Court.

(5) In the exercise of its appellate jurisdiction under this section a District Court shall not have power to reject an appeal against a decision or an order of a Primary Court summarily.

Revisional  
jurisdiction of  
District  
Courts.

19.-(1) A District Court may call for and examine the record of any proceedings in the Primary Court established for the district for which it itself is established, and may examine the records and registers thereof, for the purposes of satisfying itself as to the correctness, legality or propriety of any decision or order of the Primary Court, and as to the regularity of any proceedings therein, and may revise any such proceedings.

(2) In the exercise of its revisional jurisdiction, a District Court shall have all the powers conferred upon a District Court in the exercise of its appellate jurisdiction other than the power to substitute a conviction, or a conviction and sentence, for an acquittal; and the provisions of the proviso to paragraph (c) of subsection 4 of section 18 shall apply in relation to an order quashing proceedings and ordering a rehearing which is made in the exercise of a District Court's revisional jurisdiction as they apply in relation to any such order made in the exercise of its appellate jurisdiction.

(3) In addition to the provisions of subsection (2) of this section, no order shall be made in the exercise of the court's revisional jurisdiction in any proceedings of a civil nature increasing any sum awarded, or altering the rights of any party to his detriment (other than an order quashing proceedings in a lower court or an order reducing any award in excess of the jurisdiction or powers of the lower court to the extent necessary to make it conform thereto) unless such party shall have first been given an opportunity of being heard.



(4) No proceedings shall be revised under this section after the expiration of twelve months from the termination of such proceedings in the Primary Court; and no proceedings shall be further revised under this section in respect any matter arising thereon which has previously been the subject of a revisional order under this section.

(5) Without prejudice to the provisions of subsection (1) of this section a District Court may exercise its powers of revision in any case where an offender is committed for sentence under section 12 of Criminal Procedure Decree.

20.- (1) Subject to the provisions of this Decree or any other law, an appeal shall lie to the High Court from any judgment of any District and Kathis' Court:-

Appeals from District and Kathis' Courts.

- (a) in civil suits, in the cases prescribed by the Civil procedure Decree;
- (b) in criminal proceedings, in the cases and in the manner prescribed by the Criminal Procedure Decree; and
- (c) in any other proceedings, in such cases and in such manner as may be prescribed by law.

(2) Appeals in civil matters under this section shall be heard by one or more Judges of the High Court as the Chief Justice may from time to time direct.

(3) For the purposes of this section "judgment" includes decree, order, conviction, sentence and decision.

21.-(1) The High Court shall exercise general powers of supervision over all Subordinate Courts and may at any time:

Supervisory and Revisional powers of the High Court.

- (a) call for and inspect the record of any proceedings in any civil, criminal or other matter before a Primary Court, a District Court or a Kathis' Court and may examine the records or registers thereof; or
- (b) direct any District Court to call for and inspect the records of any proceedings of the Primary Court established in its district and to examine the records and registers thereof,

in order to satisfy itself, or that such District Court shall satisfy itself, as to the correctness, legality and propriety of any decision or order and as to the regularity of any proceedings therein.

(2) In addition to the exercise of the powers conferred upon it by subsection (1) of this section the High Court shall at times exercise all of its revisional powers under section 338, 339, 340, 341, 342, and 343 of the Criminal Procedure Decree.

Transfer of proceedings from Primary Court.

22.-(1) Where any proceeding has been instituted in a Primary Court, it shall be lawful, at any time before judgment, for:-

- (a) the Primary Court, with the consent of the District Court having jurisdiction, or the District Court itself, to transfer the proceedings to some other Primary Court or to the District Court or to a Kathi;
- (b) the District Court within the local jurisdiction of which the Primary Court is established, to order the transfer of the proceedings to itself or to a Kathi or some other Primary Court;
- (c) the High Court to order the transfer of the proceedings to itself or to any Subordinate Court in any case where it appears that the circumstances or the gravity of the proceedings make it desirable that the same should be transferred or in any case where there is reasonable cause to believe that there would be a failure of justice were the proceedings to be heard in the Primary Court or in any case where it is deemed that the interest of justice require that the proceedings ought to be transferred.

Transfer of Primary Courts.

(2) Where any proceedings in respect of which Primary Courts have jurisdiction has been instituted in a District Court or the High Court, it shall be lawful, at any time before judgement, for such Court to order the transfer of the same to the Primary Court having jurisdiction:

Provided that before making any such order, the District Court or High Court, as the case may be shall satisfy itself that the transfer of the proceedings will not be contrary to the interests of justice or cause under inconvenience to the parties, and shall record its reasons for ordering such transfer.

23.-(1) No proceedings in a Primary Court or District Court and no decision or order thereof, shall be set aside merely on the ground that the proceedings took place in the wrong district, or wrong Court, unless it appears that such error has in fact occasioned a failure of justice.

Substantial justice to be done without undue regard to technicalities.

(2) No decision or order of a primary Court or a District Court shall be reversed or altered on appeal or revision in account of any error, omission or irregularity in the complaint, any process or charge, in the proceedings before or during the hearing, or in such decision or order, or on account of the improper admission or rejection of any evidence, unless such error, omission or irregularity or improper admission or rejection of evidence has in fact occasioned a failure of justice.

24. No Resident Magistrate, District Magistrate, Kathi or Primary Court Magistrate shall act his judicial office in any proceedings in which he has any pecuniary or personal interest.

Magistrate or Kathi not to act in matter he has an interest.

25.-(1) No Judge, Resident Magistrate, District Magistrate, Kathi, Primary Court Magistrate or any other person acting judicially shall be liable to be sued in any civil Court for any act done or ordered to be done in the discharge of his judicial duty whether or not within the limits of his jurisdiction to do or order the act complained of.

Protection of Judges, Magistrates, Kathis and other officers of the Courts.

(2) No officer of any Court or other person bound to execute the lawful warrants or orders of any Judge, Resident Magistrate, District Magistrate, Kathi, Primary Court Magistrate or other person acting judicially shall be liable to be sued in any civil Court for the execution of any warrant or order which he would be bound to execute if within the jurisdiction of the person issuing the same.

26. The Powers of the High Court to deal with cases of contempt of its authority shall extend to the upholding of the authority of Subordinate Courts.

Contempt of Court.

27.-(1) Subject to the provisions of this Decree or any other law, the Chief Justice may make Rules of Court:-

Power to make Rules of Courts

- (a) for regulating the pleading, practice and procedure in the Courts hereby constituted with respect to all matters with the respective jurisdiction of such Courts;

- (b) for regulating the practice where any party wishes to appeal from a decision of a Subordinate Court;
- (c) for regulating the means by which particular facts may be proved in any of the Courts hereby constituted;
- (d) for prescribing any forms to be used;
- (e) for prescribing, enforcing or remitting the fees to be taken;
- (f) For prescribing, scales of costs and regulating any matter in connection therewith;
- (g) for prescribing the allowances to be made in criminal cases to complainants, witnesses, assessors, interpreters, medical practitioners and other persons assisting the Courts in the administration of justice and the conditions upon which such allowances shall be paid;
- (h) For prescribing or regulating the duties of the officers of the said Courts;
- (i) For regulating the mode in which advocates are to be admitted to practice as such and the mode in which the right to practice may be withdrawn or suspended on the ground of misconduct;
- (j) For regulating the maintenance and control of poor boxes in any Court established by this Dcree and the making of contributions to any such box and prescribing the purposes for which grants from poor box may be made by a court.

Language of  
the Courts:  
G.N. 62 of  
1930.

28.-(1) The language of the Primary Courts and the Kathi's Courts shall be Kiswahili and the records and judgment of these courts shall be written in Kiswahili.

(2) The language of the Courts of the District Magistrates, the Resident Magistrates and the High Court shall be either English or Kiswahili as the presiding Magistrate or Judge shall direct:-

Provided that all the records, judgments and orders of these Courts shall always be written in English.

29. The Court Decree No. 22 of 1963 is hereby repealed:

Repeals  
and Savings.  
Cap. 3.

Provided that: -

- (a) any law, practice or procedure made or established under the Courts Decree No. 22 of 1963 or earlier Court Decrees shall continue in force until other similar provision is made under this Decree;
- (b) all appointments of officers made under the Court Decree No. 22 of 1963, shall continue in force notwithstanding such Decree;
- (c) all legal proceedings begun in or before any Court constituted by or under the Courts Decree No. 22 of 1963, shall if such proceedings are pending at the date of commencement of this Decree, continue as if this Decree had not been enacted;
- (d) all Rules of Court, directions and other provisions made or given by or under the Courts Decree No. 22 of 1963, shall continue in force until other similar provision is made under this Decree.

THE SCHEDULE  
(SECTION 13 (7))

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JURISDICTION OF PRIMARY COURTS  
Under the Penal Decree

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Primary Court shall have jurisdiction to try any offence contrary to any of the following provisions of the Penal Decree:-

<i>Section</i>	<i>Offence</i>
72	Going armed in public.
73	Forcible entry.
74	Forcible detainer.
75	Affray.
77	Threatening violence.
90	Threat of injury to person employed in public service.
98	Destroying evidence.
103(1)	Offence relating to judicial proceedings.
105	Escape from lawful custody.
106	Aiding prisoners to escape.
107	Removal, etc., of property under lawful seizure.
113	Disobedience of lawful orders.
123	Abduction of girls under sixteen.
124(3)	Indecent assaults on and insulting females.
154	Desertion of children.
155	Neglecting to provide food, etc., for children.
164(b)(c)(d)	Idle and disorderly persons.
165	Rouges and vagabonds.
168	Fouling water.
211(a)	Wounding and similar acts.
216(d)	Rash and negligent acts.
223	Common Assault.
224	Assaults causing actual bodily harm.
230	Kidnapping.
236	Wrongful confinement.
248(1)(2)(4)(5)	Theft. Stealing cattle. Stealing by person in public service. Stealing by clerk or servants.
252	Killing animals with intent to steal.

<i>Section</i>	<i>Offence</i>
253	Severing with intent to steal.
261	Assault with intent to steal.
265	Demanding property with menaces with intent to Steal.
268	Entering dwelling-house with intent to commit felony.
272	Criminal trespass.
275	Obtaining by false pretence.
277	Cheating.
294(a)(b) 3	Setting fire to crops and growing plants.
298	Injuring animals
299(1)	Malicious injuries.
340	Personation in general
352(1)	Attempts to commit offences.

### **UNDER OTHER LAWS**

<i>Cap. No.</i>	<i>Law</i>	<i>Section, rule, by-law</i>
78	Food and Drugs Decree	Sections 11, 16, 25.
164	Native Liquor Decree	Sections 3(a) and (b), 5(a) and (b), 6(a) and (b), 8, 9, 10, 11.
135	Road Traffic Regulations	Regulations 26(8), 36 50(1) and (2), 56, 63, 87.
73	Public Health Decree Milk and Dairies Rules Eating Houses Rules	Rule 15(c) Rule 8 (c) Section 117 of the Decree.
126	Pound Decree	Sections 3, 4.
128	Wild Animals Protection Decree	Sections 4(1) (a), 8, 11.

Made at Zanzibar this 1<sup>st</sup> day of January, 1966.

**MAKAME MZEE,**

**Secretary to the Revolutionary Council**

I ASSENT,

ABEID A. KARUME,  
President

**PRESIDENTIAL DECREE NO. 4 OF 1966**

**DECREE TO PROVIDE FOR THE CONTROL OF CERTAIN  
COMMODITIES**

IN EXERCISE of the powers conferred by the Legislative Powers Law, 1964, the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the following Decree:-

Short title.

1. This Decree may be cited as the Commodities Control Decree, 1966.

Controlled commodities

2. The Minister may by order published in the *Gazette* declare any commodity to be a controlled commodity and thereupon the provisions of this Decree shall apply to such commodity.

prohibition of wholesale commodities.  
Decree No. 1 of 1966

3. No person, other than Bizanje, a Public Enterprise established under the Public Enterprise Decree, 1966 shall sell by wholesale any controlled commodity.

Prohibition of possession of controlled commodity.

4. Notwithstanding the provisions of any other law no person shall be in possession of any controlled commodity unless such person is a *bona fide* retail trader and complies with the conditions set out in section 5 as to storage and sales:

Provided that the provisions of this section shall not apply to-

- (a) Bizanje; and
- (b) any person in possession of his normal requirements of a controlled commodity for domestic purposes for a period not exceeding one month.



5.-(1) Every retail trader in possession of any controlled commodity shall-

(a) store such commodity in the premises where he normally carries on his trade;

(b) display such commodity in a manner easily noticeable by intending purchasers; and

(c) display in a conspicuous place the price at which such commodity is offered for sale.

Conditions regarding sale and storage of controlled commodities.

(2) If owing to lack of storage space a retail trader is unable to store any controlled commodity in the premises where he normally carries on his trade he shall register with Bizanje the address of the place where such commodity is stored.

6.-(1) If, on the coming into force of this Decree, any person who is not a *bona fide* retail trader or a person to whom proviso (b) of section 4 applies has in his possession any controlled commodity he shall immediately make a return to the Principal Secretary, Ministry of Trade stating the amount of such commodity in his possession and the place at which the commodity is stored.

Existing stocks.

7.-(1) If a magistrate is satisfied by information on oath that there is reasonable ground for suspecting that an offence under this Decree has been committed in respect of any controlled commodity he may grant a search warrant authorizing any police officer named therein to enter at any time any premises or place named in the warrant and to search the premises or place and to seize any controlled commodity which is on the premises or place in contravention of the provision of this Decree.

Search warrant.

8. Any person who acts in contravention of or fails to comply with any of the provisions of this Decree shall be guilty of an offence against this Decree and shall on conviction be liable to a fine not exceeding ten thousand shilling or to imprisonment not exceeding five years or to both such fine and imprisonment and the Court passing such sentence shall order the forfeiture of the controlled commodity in respect of which offence was committed.

Offences and Penalty.

9. In this Decree:-

“controlled commodity” means a commodity which is declared as such under section 2 of this Decree;

Interpretation

"Minister" means the Minister of Finance;

"retail trader" means one who sells for consumption and not for resale.

Made at Zanzibar this 10th day of January, 1966.

**MAKAME MZEE,  
Secretary to the Revolutionary Council**

### **CORRIGENDUM**

The following subsection has been erroneously omitted from Section 7 of the Commodities Control Decree, 1966 (Decree No. 4 of 1966):-

“(2) Where the Minister has reason to believe that an offence under this Decree has been committed he may by writing under his hand authorize any public officer to search any named premises or place and to seize any controlled commodity which is on the premises or place in contravention of the provision of this Decree”.

ZANZIBAR  
19<sup>th</sup> January, 1966

W. DOURADO,  
Attorney -General

I ASSENT,

ABEID A. KARUME,  
President

**PRESIDENTIAL DECREE No. 5 OF 1966**

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**A DECREE TO MAKE PROVISION FOR THE DISTRIBUTION  
OF LAND AND PLANTATIONS.**

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**IN EXERCISE** of the powers conferred by the Legislative Powers Law, 1964, the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the followings Decree:-

- |                       |   |
|-----------------------|---|
| Short Title           | <b>1.</b> This Decree may be cited as the Land (Distribution) Decree, 1966, and shall be deemed to have come into operation on the 1 <sup>st</sup> June, 1965.  |
| Distribution of land. | 2.-(1) The President may in consultation with the Revolutionary Council distribute land for agricultural purposes on terms and conditions hereinafter provided.<br><br>(2) Every disposition of land shall be evidenced by an Instrument setting out the terms and conditions of the grant and signed by the President.   |
| Duration of grants.   | 3.-(1) Every disposition of land made under this Decree shall be for the life of the grantee and his spouse. The President may after deaths of the grantee and his spouse distribute the said land to one or more of the grantee's direct blood descendants which expression shall include adopted children.<br><br>2. In the event of any dispute as to who is lawfully entitled to the benefit of any disposition of land made under this Decree, the President shall by notice under his hand certify the person so entitled. A certificate so issued shall not be challenged in any Court of Law. |
| Conditions of grant.  | 4. The covenants to be implied in every disposition shall be as follows:-<br><br>(a) the grantee will occupy the land and keep and maintain it in good and proper condition, maintaining the fertility of the soil thereof in good and husbandlike manner according to the most modern  |

methods of cultivation, management and husbandary, not allowing any part thereof to become impoverished by soil erosion, exhausting crops or otherwise;

- (b) the grantee will plant and cultivate such crops as may be directed by an authorized officer;
- (c) the grantee will not commit or permit any waste, spoil or destruction on the land;
- (d) the grantee will not do, cause, permit or suffer upon the land granted anything which may be or become a nuisance or annoyance or cause damage to occupiers of adjoining land;
- (e) the grantee will not assign, subdivide, underlet, mortgage, charge, or part with the possession of the land granted;
- (f) the grantee will permit an authorised officer to enter upon the land granted for the purpose of ascertaining whether the covenants are being complied with and the grantee will comply with any lawful direction given by any authorised officer.

5. The President may appoint authorised officers for the administration of this Decree.

Appointment  
of authorised  
officers.

6.-(1) If a grantee fails to comply with any of the covenants laid down in section 4 or if he fails to comply with the directions given by any authorised officer, the President may by notice in the Gazette terminate the grant and thereupon the grantee shall cease to have any rights in or over the land granted.

Termination  
of grant.

(2) Immediately on publication of the notice terminating the grant, the grantee shall deliver possession of the land to an authorised officer and the grantee shall not be entitled to the payment of any compensation in respect of any improvements effected by him.

Made at Zanzibar this 22nd day of February, 1966.

**MAKAME MZEE,**  
**Secretary to the Revolutionary Council**

I ASSENT,

ABEID A. KARUME,  
President

**PRESIDENTIAL DECREE No. 6 OF 1966**

**A DECREE TO AMEND THE MARRIAGE (SOLEMNIZATION AND  
REGISTRATION) (AMENDMENT) DECREE, 1966**

**IN EXERCISE** of the powers conferred by the Legislative Powers Law, 1964, the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the followings Decree:-

Short title.

**1.** This Decree may be cited as the Marriage (Solemnization and Registration) (Amendment) Decree, 1966, and shall be read as one with the Marriage (Solemnization and Registration) Decree, hereinafter referred to as the principal Decree.

Cap. 92.

Insertion  
of new  
section 17A

**2.** The principal Decree is hereby amended by adding the following new section immediately after section 17 to be numbered 17A.

“Refusal of consent                      17A.-(1) No person shall withhold his consent to any intended marriage except on the grounds that either of the party to the intended marriage-

- (a) has been convicted of theft; or
- (b) is currently suffering from any venereal disease, tuberculosis, or leprosy; or
- (c) is suffering from a mental illness.

(2) Any person who acts in contravention of this section shall be guilty of an offence and shall on conviction be liable to imprisonment for a term not exceeding six years or to a fine not exceeding Shs. 15,000/= or to both fine and imprisonment and the Court passing such sentence may in addition order the infliction of corporal punishment not exceeding 24 strokes”

Made at Zanzibar this 22<sup>nd</sup> day of February, 1966.

**MAKAME MZEE,**

**Secretary to the Revolutionary Council**  
I ASSENT,

ABEID A. KARUME,  
President

**PRESIDENTIAL DECREE No. 7 OF 1964**

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**A DECREE TO AMEND THE FRUIT PROTECTION DECREE, 1966**

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**IN EXERCISE** of the powers conferred by the Legislative Powers Law, 1964, the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the followings Decree:-

**1.** This Decree may be cited as the Fruit Protection (Amendment) Decree, 1966, and shall be read as one with the Fruit Protection Decree, 1964, hereinafter referred to as the principal Decree.

Short title.  
Decree No.  
17 of 1964.

**2.** The principal Decree is amended by adding the following new section after section 3 thereof to be numbered 3A:-

Insertion of  
new section.

"Possession of immature fruit" 3A A person who has in his possession any fruit shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand five hundred shillings or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Made at Zanzibar this 11<sup>th</sup> day of March, 1966.

**ZANZIBAR,**  
**12<sup>th</sup> March, 1966**

**MAKAME MZEE,**  
**Secretary to the Revolutionary**  
**Council**

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**EXPLANATORY NOTE**

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The object of this Decree is to make it an offence for any person to have in his possession any fruit which by section 2 is defined to mean all kinds of immature fruits but not including "amari" mangoes.

I ASSENT,

ABEID A. KARUME,  
President

**PRESIDENTIAL DECREE No. 8 OF 1966**

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**A DECREE TO AMEND THE PENAL DECREE**

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**IN EXERCISE** of the powers conferred by the Legislative Powers Law, 1964, the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the followings Decree:-

Short title.  
Cap. 13.

**1.** This Decree may be cited as the Penal (Amendment) Decree, 1966, and shall be read as one with the Penal Decree, hereinafter referred to as the principal Decree.

Amendment  
of section  
272.

**2.** Section 272 of the principal Decree is amended by-

(a) substituting the comma at the end of paragraph  
(b) thereof with a semi-colon and adding thereafter the word  
"or" and

(b) adding the following new paragraph:-

"(c) unlawfully enters any place while a party, dance or other occasion is due to commence or is in progress without paying any entrance fee that is payable";

(c) adding the words "or to a fine not exceeding five hundred shillings or to both such fine and imprisonment" after the word "months" at the end of subsection (1) thereof.

Made at Zanzibar this 16<sup>th</sup> day of March, 1966.

**MAKAME MZEE,**

**Secretary to the Revolutionary Council**



I ASSENT,

ABEID A. KARUME,  
President

**PRESIDENTIAL DECREE No. 9 OF 1966**

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**A DECREE TO AMEND THE TRADE LICENSING DECREE,  
(Cap. 97, 1934 Revised Edition).**

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**IN EXERCISE** of the powers conferred by the Legislative Powers Law, 1964, the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the following Decree:-

**1.** This Decree may be cited as the Trades Licensing (Amendment) Decree, 1966, and shall be read as one with the Trades Licensing Decree, hereinafter referred to as the Principal Decree and shall come into operation on the 1<sup>st</sup> day of July, 1966.

Short title  
and com-  
mencement.

**2.** Section 6 of the Principal Decree is amended by-  
(a) substituting for sub-section (1) thereof a new sub-section as follows:-  
“(1) The President may by order appoint a Board of Trade (hereinafter referred to as the Board) to superintend the licensing of business under this Decree”.

Amendment  
of section 6.

(b) substituting for the word “Commissioners” the word “Board” wherever it occurs in the section.

**3.** The Principal Decree is hereby amended by inserting immediately after section 8 thereof the following new section to be numbered 8A  
8A. In considering an application for a trading licence after the 1<sup>st</sup> July, 1966, in the case of individuals preference shall be given to a citizen of Tanzania resident in Zanzibar and in the case of firms or companies preference shall be given to those firms and companies the majority of whose employees are citizens of Tanzania resident in Zanzibar”.

Insertion of  
new section.

Made at Zanzibar this 6<sup>st</sup> day of June, 1966.

**MAKAME MZEE,**  
**Secretary to the Revolutionary Council**

I ASSENT,

ABEID A. KARUME,  
President

**PRESIDENTIAL DECREE No. 10 OF 1966**

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**A DECREE TO AMEND THE INTERPRETATION DECREE.**

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**IN EXERCISE** of the powers conferred by the Legislative Powers Law, 1964, the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the following Decree:-

Short title.  
Cap. 1.

**1.** This Decree may be cited as the Interpretation (Amendment) Decree, 1966, and shall be read as one with the Interpretation Decree, hereinafter referred to as the Principal Decree.

Insertion  
of new  
section 44.

**2.** The principal Decree is hereby amended by adding the following new section immediately after section 43 thereof:-

"Exemption from payment of prescribed fees. 44.(1) Where by or under any Decree a fee, duty or other payment is prescribed, the Minister of finance may by order exempt any public enterprise established under the Public Enterprise Decree, 1966, or any company established under the Companies Decree fully or partly owned by the Government from the payment of such fee, duty or payment.

(2)- Such order may be made with retrospective effect".

Made at Zanzibar this 9<sup>th</sup> day of June, 1966.

**MAKAME MZEE,**  
**Secretary to the Revolutionary**  
**Council**

I ASSENT,

ABEID A. KARUME,  
President

**PRESIDENTIAL DECREE No. 11 OF 1966**

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**A DECREE TO MAKE PROVISION FOR THE REGISTRATION OF  
CITIZENS AND RESIDENTS AND FOR THE ISSUE OF  
REGISTRATION CARDS AND FOR MATTERS CONNECTED  
THEREWITH**

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**IN EXERCISE** of the powers conferred by the Legislative Powers Law, 1964, the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the following Decree:-

**1.** This Decree may be cited as the Registration of Citizens and Residents Decree, 1966, and shall apply to all Male and female citizens and residents who at the commencement of this Decree have attained, or who thereafter attain, the age of sixteen years:

Short title  
and  
application.

Provided that this Decree shall not apply to any consular officer of a Consulate or Deputy High Commission established in Zanzibar.

2.-(1) The President shall, by notice in the Gazette, appoint an officer to be the Supervisor of Registration and in like manner shall appoint a Principal Registrar for the purpose of this Decree.

Appoint-  
ment of  
Principal  
Registrar  
and Staff.

(2) The Principal Registrar may appoint registration officer for the purpose of this Decree.

3. The Principal Registrar shall maintain a record of all persons in Zanzibar to whom this Decree applies.

Record of  
Registered  
Persons.

4.-(1) The Principal Registrar may, by notice in the Gazette or in such other manner as he may think best fitted to bring the contents thereof to the notice of the persons affected thereby require any person or class of person in any particular area of Zanzibar to attend before a registration

Registration

officer at such place and between such dates as may be specified in such notice for the purpose of registering under the provisions of this Decree.

(2) Any person shall, upon being so required, attend and submit to the registration officer an application for registration on forms to be supplied by the registration officer and for this purpose shall permit his left thumb print to be recorded, if so required.

Registration of immigrants and those attaining 16 years.

5. Every person who is abroad at the date of the coming into force of this Decree or who has not attained the age of sixteen years shall within a month of his entry into Zanzibar or his attaining the age of sixteen years attend before a registration officer for the purpose of being registered if he is a person to whom this Decree applies.

Power to demand proof of information.

6. A registration officer may require any person who has given any information in pursuance of this Decree to furnish such documentary or other evidence of the truth of such information as it is within the power of that person to furnish.

Registration Cards.

7.-(1) Upon registration of a person under this Decree, the registration officer shall on payment of the prescribed fee issue a registration card as follows:-

- (a) in the case of a citizen, a certificate of citizenship in a form approved by the Supervisor of Registration:
- (b) in the case of a resident, a certificate of residence in a form approved by the Supervisor of Registration.
- (2) Every registered person shall permit his left thumb print to be recorded on his registration card;
- (3) Every person to whom a registration card has been issued shall keep such card in safe custody.
- (4) Any person who loses his registration card shall, without delay, report such loss to the nearest police station. After due enquiry the registration officer shall on payment of the prescribed fee issue to such person a new registration card.
- (5) Any person who finds or who comes into possession of a registration card, which does not belong to him shall, without

delay return it either to its owner or to the nearest police station.

8.-(1) Any authority to whom a person, required to be registered under this Decree, applies for the grant of any license, permit or other document, or for the exercise of its lawful function, may in its discretion require the applicant to produce to such authority his, registration card and if such applicant when so required does not produce to such authority his registration card, the authority may, notwithstanding the provisions of any other law for the time being in force, in its discretion defer consideration of such application until such applicant produces his registration card.

Production and inspection of registration card.

(2) The Principal Registrar may at any time require a person to whom this Decree applies to produce for inspection his registration card.

9.-(1) Any person aggrieved by a decision of a registration officer may appeal to the Supervisor of Registration against such decision.

Appeals.

(2) Any person aggrieved by a decision of the Supervisor of Registration may appeal against such decision to an Appeals Committee which shall consist of five members appointed by the President.

10.-(1) Any person who-

- (a) fails to apply to be registered in accordance with the provisions of this Decree; or
- (b) in giving any information for the purposes of this Decree, knowingly or recklessly makes any statement which is false in a material particular; or
- (c) unlawfully deprives any person of a registration card issued to him under this Decree; or
- (d) unlawfully makes an entry, alteration or erasure on a registration card; or
- (e) unlawfully issues a registration card; or
- (f) is in unlawful possession of or makes use of a registration card belonging to any other person; or
- (g) falsely states that he has not previously been registered or commits any act or makes any false representation or commission with the object of deceiving a registration officer; or
- (h) is knowingly in possession of a registration card containing any false entry, alteration or erasure; or

Offences and Penalties.

- (i) having previously had issued to him a registration card under this Decree, obtains or attempts to obtain another registration card without disclosing to the registration officer the fact of such previous issue and the loss, mutilation or destruction of any registration card previously issued;

shall be guilty of an offence and liable to a fine not exceeding one thousand shillings or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment.

- (2) Any person who instigates or encourages another person not to register or who advises or encourages another person to register by making a false declaration or who advises or encourages another person to obtain a false registration card shall be guilty of an offence and shall on conviction be liable to imprisonment for a term of five years.

Interpretion.

11. In this Decree, except where the context otherwise requires:-

"citizen" means a citizen of Tanzania resident in Zanzibar;

"resident" means a person who has lawfully entered Zanzibar and has remained lawfully and ordinarily resident in Zanzibar for a period of three years out of five year immediately preceding the date of the determination of his status under the Decree;

"registration card" means a certificate of citizenship or a certificate of residence as the case may be, issued under section 7 of the Decree.

Commence-  
ment

12. This Decree shall be deemed to have come into force on the 8<sup>th</sup> day of July, 1966.

Made at Zanzibar this 15<sup>th</sup> day of July, 1966.

**MAKAME MZEE,**  
**Secretary to the Revolutionary Council**

I ASSENT,

ABEID A. KARUME,  
President

**PRESIDENTIAL DECREE No. 12 OF 1966**

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**A DECREE TO AMEND THE WAKF PROPERTY DECREE**

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**IN EXERCISE** of the powers conferred by the Legislative Powers Law, 1964, the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the following Decree:-

**1.** This Decree may be cited as the Wakf Property (Amendment) Decree, 1966, and shall be read as one with the Wakf Property Decree hereinafter referred to as the principal Decree.

Short title.

Cap. 103.

**2.** There shall be substituted for section 2 of the principal Decree a new section as follows:-

Substitution of section 2 principal Decree.

“Interp

retation. “private wakf” means a wakf where the wakf property is vested in a trustee than the Wakf Commission;

“trustee” includes any persons or person in control of any wakf property or in receipt of the rents and profits thereof;

“wakf” means the permanent dedication by any person professing the Muslim faith of any property for any purpose recognized by Muslim law as religious, pious or charitable.”

**3.** There shall substituted for section 4 of the principal Decree a new section as follows:-

Substitution of section 4 of principal Decree.

“Vesting of wakf property. 4.-(1) There is hereby vested in the Wakf Commission in addition to all property of whatsoever nature which has hitherto been vested in the Wakf Commission all property of whatever

nature belonging to any private wakf.

(2) Immediately on the coming into operation of this Decree a trustee of any private wakf shall deliver to the Wakf Commission possession of any wakf property under his control together with any books or documents, whether of account or otherwise relating thereto, in his control or possession.

(3) The creation of any private wakf in future is hereby rendered invalid to the extent that a trustee other than the Wakf Commission has been appointed and any purported creation of such a wakf shall operate as if the Wakf Commission were appointed by the dedicator.

Section 10,  
11, 12 and  
17 repealed.

Amendment  
of section  
16 of princi-  
pal Decree.

Insertion of  
new section  
17.

4. Sections 10, 11, 12 and 17 of the principal Decree are hereby repealed.

5. Section 16 of the principal Decree is amended by:-  
(a) deleting therefrom subsection (1) thereof; and  
(b) re-numbering subsection (2) thereof as section 16.

6. The following new section shall be inserted immediately before section 18 of the principal Decree:-

“offences. 17. Any trustee of a private wakf who fails to comply with the provisions of this Decree and any person who purports to administer a private wakf shall be guilty of an offence and shall on conviction be liable to a fine of one thousand five hundred shillings.”

Made at Zanzibar this 26<sup>th</sup> day of September, 1966.

**MAKAME MZEE,**  
**Secretary to the Revolutionary**  
**Council**



I ASSENT,

ABEID A. KARUME,  
President

**PRESIDENTIAL DECREE No. 13 OF 1966**

**A DECREE TO AMEND THE TRADES LICENSING DECREE  
(Cap. 97, 1934 Revised Edition)**

**IN EXERCISE** of the powers conferred by the Legislative Powers Law, 1964, the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the followings Decree:-

Short title.  
and com-  
mencement.

**1.** This Decree may be cited as the Trades Licensing (No. 2) (Amendment) Decree, 1966, and shall be read as one with the Trades Licensing Decree hereinafter referred to as the principal Decree and shall be deemed to have come into operation on the 1<sup>st</sup> day of July, 1966.

Substitution of  
First Schedule  
to principal  
Decree.

**2.** There shall be substituted for the First Schedule to the principal Decree the following new Schedule:-

"FIRST SCHEDULE"

Sections 7, 10 12 and 14,

Types of Trading Licenses	Fee	
	Shs.	Cts.
1. Lighterage .. .. .	6,000	00
2. General Trader:-		
(a) For principal or only place of busines ..	900	00
(b) For each subsidiary place of business .. ..	300	00
(c) For each place of business of a General Trader-		
(i) in coconuts or copra within the limits of the Town		

Types of Trading Licences	Fee
---------------------------	-----

of Zanzibar, or

- (ii) in gunny bags, matting bags, beche-de-mer or Seashells, or
- (iii) whose business consists in the manufacture for sale of goods:

Provided that the value of the stock held at any one time during the year in respect of which a licence is taken out does not exceed  
 Shs 750 .. .. . 45 00

3. Retail trader:-

- (a) Where the value of the stock on hand exceeds Shs. 7,500 at any one time during the year in respect of which the licence is taken out-

For principal or only place of business	..	..	450	00
For each subsidiary place of business	..	..	150	00

- (b) Where the value of stock on hand exceeds Shs. 1,500, but does not exceed Shs. 7,500, at any one time during the year in respect of which the licence is taken out-

For principal or only place of business	..	..	300	00
For each subsidiary place of business	..	..	90	00

- (c) Where the value of stock on hand exceeds Shs. 750, but does not exceed Shs. 1,500, at any one time during the year in respect of which the licence is taken out-

For each place of business	..	..	90	00
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- (d) Where the value of stock on hand does not exceed Shs 750, at any one time during the year in respect of which the licence is taken out-

For each place of business	..	..	30	00
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Provided that where such place of business is outside the towns of Zanzibar, Wete, Chake chake and Mkoani and the value of the stock on hand does not exceed Shs. 150, at any time during the year in respect of which the licence is taken out .. .. . 15 00

Types of Trading Licences							Fee	
4.	Commission Agent-							
	For each place of Business	..	..	..	..	300	00	
5.	Handicraftsman	..	..	..	..	45	00	
6.	On transfer of trading licence	..	..	..	..	2	00	
7.	For copy of a licence	..	..	..	..	9	00	

Made at Zanzibar this 26<sup>th</sup> day of September, 1966.

**MAKAME MZEE,**  
**Secretary to the Revolutionary**  
**Council**

I ASSENT,

ABEID A. KARUME,  
President

**PRESIDENTIAL DECREE No. 14 OF 1966**

**A DECREE TO LEVY A TAX ON THE RENTS OF BUILDINGS**

**IN EXERCISE** of the powers conferred by the Legislative Powers Law, 1964, the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the followings Decree:-

Short title.                    **1.** This Decree may be cited as the Buildings (Rent Tax) Decree, 1966,  
and commence- and shall come into operation on the 1<sup>st</sup> November, 1966.  
ment.

Rent tax                        2.-(1) Every landlord of a building (other than a hut) which has been  
let for residential, business or any other purpose shall pay a monthly rent  
tax equivalent to twenty-five percentum of the monthly rent of such building.

(2) The rent tax shall in respect of buildings situate within the municipality  
be paid to the Zanzibar Municipal Council and in all other cases to the local  
council of the local council area within which the building is situate or if  
such building is not situate within a local council area to the local council of  
the nearest local council area.

(3) The landlord shall not be entitled to any increase in the rent which  
could have the effect of passing on to the tenant, either wholly or partially,  
the burden of the rent tax.

Interpreta-                    3. In this Decree-  
tion.                            "hut" shall have meaning assigned to it by section 2 of the Rent Restriction  
Decree;

Cap. 98.

Cap. 87.

"local council" and "local council area" shall have the meanings assigned  
to them by section 2 of the Local Government Decree;

"municipality" means the Municipality of Zanzibar as established by section 3 of the Zanzibar Municipal Council Decree.

Decree No. 8  
of 1960

Made at Zanzibar this 17<sup>th</sup> day of October, 1966.

**MAKAME MZEE,  
Secretary to the Revolutionary  
Council**

I ASSENT,

ABEID A. KARUME,  
President

**PRESIDENTIAL DECREE No. 15 OF 1966**

**A DECREE TO MAKE PROVISION FOR THE NATIONALISATION  
OF TH MOTOR CAR TRADE**

**IN EXERCISE** of the powers conferred by the Legislative Powers Law, 1964, the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the followings Decree:-

Short title and commencement.

**1.** This Decree may be cited as the Nationalisation (Motor Car Trade) Decree, 1966, and shall be deemed to have come into operation on the 13<sup>th</sup> day of October, 1966 (hereinafter referred to as the vesting date).

Vesting of cars, accessories and spare parts in Government.

**2.** Subject to the provisions of this Decree all motor cars, and accessories and spare parts thereof belonging to the Companies or Firms mentioned in the Schedule (hereinafter referred to as the scheduled Companies) shall on the vesting date vest by virtue of this Decree and without further assurance in the Government.

Private enterprise prohibited.

**3.-(1)** With effect from the vesting date it shall be unlawful for any person or company other than the Government or a public enterprise to carry on the Motor Car Trade.

**(2)** Until the establishment of a public enterprise to carry on the motor car trade, the Minister of Finance shall be responsible for the efficient running of the motor car trade.

Preparation of Inventory.

**4.** Immediately after the vesting date the owner or manager of scheduled company shall take complete stock of all the items belonging to the Company in the presence of an officer authorized by the Government in that behalf and shall prepare a complete inventory. The inventory shall

be signed by owner or manager on behalf of the company and by the authorized officer on behalf of the Government and shall be conclusive evidence of the stock held by the scheduled company.

5.- (1) The Government shall, by way of compensation for the property vested in them by section 2 of this Decree make payments to the owners of the scheduled companies. Compensation.

(2) The compensation shall be equivalent to the cost price of the property vested in the Government and shall be payable in installments to be determined by the Minister of Finance. The first of the payments shall be made at a date not later than the 13<sup>th</sup> October, 1967.

#### SCHEDULE

Auto Sales Service & Exchange Limited.

Kapadia Motor Mart Limited.

M. Takim And Company.

G. Pardhan.

Mussa Jusbani And Sons.

Made at Zanzibar this 17<sup>th</sup> day of October, 1966.

**MAKAME MZEE,**  
**Secretary to the Revolutionary Council**

I ASSENT,

ABEID A. KARUME,  
President

**PRESIDENTIAL DECREE No. 16 OF 1966**

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**A DECREE TO MAKE PROVISION FOR THE ESTABLISHMENT  
OF A SPECIAL COURT AND TO DEFINE ITS POWERS**

---

**IN EXERCISE** of the powers conferred by the Legislative Powers Law, 1964, the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the following Decree:-

Shot title  
and com-  
mencement.

**1.** This Decree may be cited as the Special Court Decree, 1966, and shall be deemed to have come into operation on the 1<sup>st</sup> day of May, 1966.

Constitution  
of Court.

**2.** There is hereby constituted a court to be called The Special Court consisting of not more than fourteen members to be appointed by the President.

Powers of  
Court.

**3.** Notwithstanding the provision of any other law the Special Court shall have exclusive criminal jurisdiction in the following cases:-

- (a) political offences committed by persons;
- (b) offences committed by person detained under the provisions of the Preventive Detention Decree, 1964;
- (c) offences involving theft of Government property or the property of any public enterprise;
- (d) offences involving damage caused to Government property or the property of any public enterprise.

Procedure.  
Cap. 14.

4.-(1) The Special Court shall lay down its own practice and procedure for the trial of offences within its jurisdiction and shall not be bound by the principles of procedure laid down in the Criminal Procedure Decree or any other law.



(2) Members of the public shall not have access to any place where the Special Court is sitting.

(3) No Advocate or Public Prosecutor may appear on behalf of any party before the Special Court.

5. The Special Court may in exercise of its jurisdiction under this Decree:- Warrants and Remands.

- (a) issue a warrant of arrest;
- (b) grant bail to any person brought before the Court on such terms as the Court may think fit;
- (c) order the remand in custody of an accused person pending trial or upon the adjournment of any trial.

6.- (1) The Special Court shall have power to summon any person before it for the purpose of giving evidence. Power to summon witnesses.

(2) Any person served with a summons issued pursuant to subsection (1) of this section who without reasonable excuse fails to obey such summons may be arrested and brought before the Special Court and shall be liable to a fine of one hundred shilling or in default of payment to imprisonment for one month.

7. Every proceeding falling within the exclusive jurisdiction of the Special Court pending in any other court at the commencement of this Decree shall be transferred to the Special Court. Proceedings pending.

8. The Special Court may inflict of the following punishments:- Punishments.

- (a) death;
- (b) imprisonment;
- (c) corporal punishment;
- (d) fine.

9. An appeal from a decision of the Special Court shall lie to the President whose decision shall be final and not appealable in any court of law. Appeals

Made at Zanzibar this 26<sup>th</sup> day of October, 1966.

**MAKAME MZEE,**  
**Secretary to the Revolutionary Council**

I ASSENT,

ABEID A. KARUME,  
President

**PRESIDENTIAL DECREE No. 17 OF 1966**

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**A DECREE TO AMEND THE PUBLIC AND BANK HOLIDAYS  
DECREE**

---

**IN EXERCISE** of the powers conferred by the Legislative Powers Law, 1964, the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the following Decree:-

Short title.  
Cap. 170.

**1.** This Decree may be cited as the Public and Bank Holidays (Amended) Decree, 1966 and shall be read as one with the Public and Bank Holidays Decree.

Section 3  
repealed and  
replaced.

**2.** Section 3 of the principal Decree is hereby repealed and replaced by the following new section:-

“Public      **3.** The several days mentioned in Schedule A (hereinafter  
Holidays” referred to as “public holidays”) shall be kept (except as  
hereinafter provided) as public holidays throughout Zanzibar”.

Repeal and  
replacement  
of Schedule  
to principal  
Decree

**3.** Schedule A to the principal Decree is hereby repealed and replaced by the following new Schedule:-

SCHEDULE A.

Revolution Day (12<sup>th</sup> January)

The two days upon which the festival of Id-el-Fitr is  
celebrated.

Good Friday,

Easter Monday,

One day upon which the festival of Id-ed-Haj is celebrated.

Union Day (26<sup>th</sup> April)

International Workers' Day (1<sup>st</sup> May)

Maulidi,

Saba Saba Day (7<sup>th</sup> July)

Independence and Republic Day (9<sup>th</sup> December),

Christmas (25<sup>th</sup> December)

Made at Zanzibar this 22<sup>nd</sup> day of November, 1966.

**MAKAME MZEE,  
Secretary to the Revolutionary Council**

I ASSENT,

ABEID A. KARUME,  
President

**PRESIDENTIAL DECREE No. 18 OF 1966**

**A DECREE TO AMEND THE AGRICULTURAL PRODUCE DECREE**

**IN EXERCISE** of the powers conferred by the Legislative Powers Law, 1964, the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the followings Decree:-

Short title.  
Cap. 110.

**1.** This Decree may be cited as the Agricultural Produce (Amendment) Decree, 1966, and shall be read as one with the Agricultural Produce Decree, hereinafter referred to as the principal Decree.

Amendment  
of schedule  
to the  
Decree

**2.** The Schedule to the principal Decree is amended by deleting therefrom Items (1) and (2) and substituting therefore the following items:-

**SCHEDULE**

<i>Offence</i>				<i>Minimum Sentences</i>
(1) Theft contrary to section 241 and 248 of Penal Decree where thing stolen is coconut:-				
(a) coconuts not exceeding 5 in number	..	..	..	1 month
(b) coconuts exceeding 5 but not exceeding 50	..	..	..	2 months
(c) coconuts exceeding 50 but not exceeding 100	..	..	..	3 months
(d) coconuts exceeding 100	..	..	..	1 year.
(2) Theft of agricultural produce from any Government Or State Plantation contrary to section 248 (3) of The Penal Decree where produce stolen is coconut:-				
(a) coconuts not exceeding 5 in number	..	..	..	2 months
(b) coconuts exceeding 5 but not exceeding 50	..	..	..	4 months
(c) coconuts exceeding 50 but not exceeding 100	..	..	..	6 months
(d) coconuts exceeding 100	..	..	..	2 years.

Made at Zanzibar this 22nd day of November, 1966.

MAKAME MZEE  
Secretary to the Revolutionary Council

I ASSENT,

ABEID A. KARUME,  
President

**PRESIDENTIAL DECREE No. 19 OF 1966**

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**A DECREE TO AMEND THE SPECIAL COURT DECREE  
1966**

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**IN EXERCISE** of the powers conferred by the Legislative Powers Law, 1964, the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the following Decree:-

**1.** This Decree may be cited as the Special Court (Amended) Decree, 1966. Short title.

**2.** Section 1 of the Special Court Decree, 1966 is hereby amended by deleting therefrom the words and figures "the 1<sup>st</sup> day of May, 1966" and substitute thereof the words "a day to be appointed by the President". Amendment of section 1.

Made at Zanzibar this 29<sup>nd</sup> day of November, 1966.

MAKAME MZEE,  
Secretary to the Revolutionary Council

**L.D.  
1 of 1966**

**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE,  
1964  
(Presidential Decree No. 8 of 1964)**

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**The Confiscation of Immovable Property (No.1) Order, 1966.**  
(Under Section 2 (1))

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Short title.                   1.       This Order may be cited as the Confiscation of Immovable Property (No. 1) Order, 1966.

Confiscation of shambas mentioned in the Schedule.                   2.       All those shambas belonging or said to belong to the persons mentioned in the First Column of the Schedule hereto and situate at the places mentioned in the Second Column, are hereby confiscated.

**SCHEDULE**

<i>First Column</i>		<i>Second Column</i>		<i>Third Column</i>
1. Mamdu Suleiman Alarakhia	..	Kitongani Fujoni	..	North: Said Mmanga and Mwana Khamis South: Muhamed Suleiman and Ali Nassor East: Hafidh of mambo West: Ridhwana Khamis
2. Mamdu Suleiman Alarakhia	..	Zingwe-zingwe Shamba Mshineni	..	North: Remu South: Bi-Mwana Hija East: Said Mohamed West: Said Mmanga
3. Hassanali Suleiman Alarakhia	..	Kilimani kwa Abdi Muya	..	North: Khalid Hamdoun South: Binti Ufunguo and Sumaili East: Mohamed Adim West: Abdulla Suleiman and Ali Said

<i>First Column</i>		<i>Second Column</i>		<i>Third Column</i>
4. Abdul Suleiman Alarakhia	..	Mangapwani	..	North: Juma Dunia South: Khamis Khatib and Said Mohamed East: Bint Burhan west: Mamu
5. Bint jadi	..	Kitogani Fujoni	..	North: Mamu South: Mamdu Suleiman East: Ali Baradhuli West: Maulid Suleiman
6. Hassanali of Mamu	..	Kibondemzungu Fujoni	..	North: Chumu Juma South: Salum Khalfani and Abdul East: Abdul Suleiman West: Mamdu Suleiman
7. Hassanali of Mamu	..	Kibondemzungu	..	North: Mamdali Jomba South: Juma Chumu East: Mamdu Suleiman West: Hamada Sururu and Shaali

By the Order of the President

ZANZIBAR,  
23rd December, 1965

H. MOYO,  
Minister of Agriculture and Land Reform

**THE COMMODITIES CONTROL DECREE, 1966**

**L.N.  
2 of 1966.**

**THE COMMODITIES CONTROL (NO.1) ORDER, 1966**

IN EXERCISE of the powers vested in me by section 2 of the above mentioned Decree, I hereby declare the following commodities to be controlled commodities for the purposes of the Decree:-

Rice (mchele)  
Sugar (sukari)  
Wheat flour (unga wa ngano)  
Maize flour (unga wa mahindi)  
Maize (mahindi)  
Beans (kunde)  
Beans (maharage)  
Green gram (choroko)  
pigeon Pea (mbaazi)  
Millet (mtama)  
Vegetable ghee (samli ya mboga)  
Onions (vitunguu maji)  
Garlic (vitunguu thaumu)  
Tinned milk (maziwa ya kibati)

Made at Zanzibar this 10th day of January, 1966.

**ABDULAZIZ A. TWALA**  
Minister of Finance



**THE TRADE TAX DECREE, 1964**  
**(Presidential Decree No. 13 of 1964)**

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**L.N.**  
**3 of 1966.**

**The Trade Tax (Variation of the Schedule) Order, 1966**  
(Under Section 10)

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1. This Order may be cited as the Trade Tax (Variation of the Schedule) Order, 1966, and shall be deemed to have come into operation on the 4th day of November, 1965.

2. The Schedule to the Trade Tax Decree, 1964, is amended by adding thereto immediately after item 57 thereof the following new item to be numbered 57A:-

“57A All batteries other than motor car batteries .. 5 per cent ad valorem”.

ZANZIBAR,  
8th January, 1966

ABEID A. KARUME  
President

**THE PENAL DECREE**

---

**L.N.  
4 of 1966.**

**IN EXERCISE** of the powers vested in him by section 37 of the Penal Decree, the Minister hereby makes the following Order:-

**The Importation of Publications (Prohibition) Order, 1966**

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1. This Order may be cited as the Importation of Publications (prohibition) Order. 1966.
2. The importation into the Islands of Zanzibar and Pemba of the following publication is hereby prohibited:-
  1. Communism and the Christian by D. R. Davies - published by Ampersand Limited, 47 Essex Street, London, E.C. 2.
  2. A Christian looks at Communism by Edward Rogers - published by The Epworth Press, London.
  3. Utawala wa Kristo au Utumwa wa Komyunisimu by peter G. Bostock - published by The Highway Press, Jackson Road, Nairobi.

ZANZIBAR  
15th January, 1966

ALI SULTAN ISSA,  
Minister of Education and National Culture

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**THE CUSTOMS MANAGEMENT DECREE (Cap. 145)**

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**L.N.  
5 of 1966.**

**The Customs (Amendment) Rules, 1966**  
(Under Section 228)

**IN EXERCISE** of the powers vested in me by section 228 of the Customs Management Decree, I hereby make the following Rules:-

Short title  
and com-  
mencement.  
Cap. 145.

1. These Ruels may be cited as the Customs (Amendment) Rules, 1966, and shall be read as one with the Customs Rules hereinafter referred to as the principal Rules, and shall be deemed to have come into operation on the first day of August, 1965.

2. Rule 68 of the principal Rules is hereby amended by adding thereto immediately after paragraph (5) thereof the following new paragraph to be numbered (6):-

Rule 68 of the principal Rules amended

“(6) Wharfage fees on good imported or exported by dhows or other native vessels and all unmanifested goods (not being bona fide baggage imported or exported by passengers) shall be paid by the owners of dhows or other native vessels lying alongside a quay loading or unloading the goods as aforesaid according to the rates shown in Part D of Schedule II.”

3. Schedule II to the principal Rules is hereby amended by adding thereto immediately after part C thereof the following new Part to be named part D:-

Amendment of Schedule II to the principal Rules

“SCHEDULE II  
WHARFAGE FEES  
PART D  
(Rule 68 (6) )

1. On goods shipped or landed by dhows or other native vessels of 60 registered tonnage or under sailing:

(a) from Zanzibar to Pemba or vice versa .. 3/-

(b) from Zanzibar or Pemba to other East Africa  
Ports or vice versa .. .. 5/-

2. On goods shipped or landed by dhows or other native vessels of registered tonnage exceeding 60 tons or schooners sailing:

(a) from Zanzibar to pemba or vice versa .. 10/-

(b) from Zanzibar or Pemba to other East African  
Ports or vice versa .. .. 10/-”

Made at Zanzibar this 18th day of January, 1966.

ABDULAZIZ A. K. TWALA  
Minister of Finance

**L. N.6  
of 1964.**

**THE CONFISCATION OF IMMOVABLE PROPERTY  
DECREE, 1964  
(Presidential Decree No. 8 of 1964)**

---

**The Confiscation of Immovable property (No.2) Order, 1966  
(Under Section 2 (1))**

---

Short title.

1. This Order may be cited as the Confiscation of Immovable Property (No.2) Order, 1966.

Confiscation  
of a house  
belonging to  
Saddruddin  
Budah.

2. All that House No. 2885D situate at Kikwajuni, Zanzibar and belonging or said to belong to Sadduddin Budah is hereby confiscated.

By the Order of the President.

ZANZIBAR  
1st February, 1966

ALI SULTAN ISSA,  
Minister for Education and National  
Culture

---

**L.N.  
7 of 1966.**

**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE,  
1964  
(Presidential Decree No. 8 of 1964)**

---

**The Confiscation of Immovable Property (No.3) Order, 1966  
(Under Section 2 (1) )**

---

Short title.

1. This Order may be cited as the Confiscation of Immovable Property (No.3) Order, 1966.

Confiscation  
of  
Dugheshy's  
shamba at  
Muwanda.

2. All that shamba situate at Muwanda and belonging or said to belong to Dugheshy and bounded on the North by the shamba of the Heirs of Sheikh Shauri and Suleiman Hamad, on the South by the shamba of the Heirs of Khamis Juma and the Heirs of Mwinyi Haji, on the East by waste land and on the West by the sea, is hereby confiscated.

By the Order of the President.

ZANZIBAR  
10th February, 1966

H. MOYO,  
Minister of Agriculture and Land Reform

**L.N.  
8 of 1966**

**THE PENAL DECREE**

---

IN EXERCISE of the powers contained in section 37 of the Penal Dcree the Minister hereby makes the following Order:-

**The Importation of Publications (Revocation ) Order, 1965**

---

1. This order may be cited as the Importation of Publications (Revocation) Order, 1966.

L.N. 2  
of 1964.

2. The Importation of Publications (Prohibition) Order, 1964, banning the importation of the "Voice of Africa" is hereby revoked.

ZANZIBAR  
15th February, 1966

ABDULAZIZ A. K. TWALA,  
Minister of Finance

**THE IMMIGRATION CONTROL DECREE**

---

**L.N.  
9 of 1966**

IN EXERCISE of the powers vested in him by paragraph (gg) of the definition of "prohibited immigrant" contained in section 2 of the above mentioned Decree, the President has been pleased to make the following Order:-

**The prohibited Immigrants Order, 1966**

---

1. This order may be cited as the Prohibited Immigrants Order, 1966.
2. Any person who left Zanzibar during the period 12th January, 1964 to the 31st May, 1964 and is still abroad is hereby declared to be a prohibited immigrant.
3. This Order shall not apply to-
  - (a) any person who left Zanzibar in accordance with travel arrangements made prior to the 12th January, 1964;
  - (b) any bona fide student who left Zanzibar for studies abroad;
  - (c) any person who left Zanzibar for medical treatment abroad; and
  - (d) any person who has been exempted by the President from the provisions of this Order.

By the Order of the President.

ZANZIBAR  
19th February, 1966

ABOUD JUMBE,  
Minister of State,  
Office of the First Vice-President

**L.N.**  
**10 of 1966**

**THE CUSTOMS TARIFF DECREE**

---

**Value of Copra and Coconut Oil for the Purpose of payment of  
Duty  
Under Section 8**

---

IN EXERCISE of the powers vested in him by section 10 of the Customs Tariff Decree, and otherwise, the Minister for Finance has been pleased to fix the following value for the purpose of payment of duty under the provision of section 8 of the said Decree with effect from the 1st day of April, 1966, until the 30th day of June, 1966.

	Europe and countries other than india and in	E. Africa	India	E. Africa
Copra .. ..		£62	£66	£69 per ton
Coconut oil, in new drums		£78	-	£87 per ton
Coconut oil, in second hand drums .. ..		£89	-	£98 per ton
Coconut oil, in 4-gallon tins		£85	-	£94 per ton

The value of copra and coconut oil for the purpose of the payment of duty as notified in Legal Notice. No.134 of 1965 will remain in force until the 31st day of March, 1966.

ZANZIBAR  
23 February, 1966

R. H. RAMAIYA,  
for Acting Principal Secretary,  
Ministry of Finance



**THE POST OFFICE DECREE**

---

**L.N.  
11 of 1966**

IN EXERCISE of the powers vested in him by subsection (a) of section 11 of the Post Office Decree, the Minister of Communication and Works hereby makes the following Rules:-

**The Post Office (Amendment) Rules, 1966**

---

1. These Rules may be cited as the Post Office (Amendment) Rules, 1966, shall be read as one with the Post Office Rules and shall come into effect as from the 1st April, 1966. Cap. 66, p.22.

2. Rule 3(1) A of the principal Rules is hereby revoked and replaced by the following new rule:- L.N. 125/59

3.(1) The rates of postage on postal articles, for transmission otherwise than by air, where the postage is fully prepaid shall be as follows:- "Rates of postage".

**SURFACE MAIL POSTAGE RATES**

A.- INLAND

<i>Letters:</i>	Shs.	Cts.
For a letter not exceeding one ounce in weight .. .. .	-	30
For every additional ounce or part thereof	-	20
<i>Postcards:</i>		
For a single postcard .. .. .	-	15
For a reply-paid postcard .. .. .	-	30
<i>Printed Papers and Commercial Papers:</i>		
For a packet not exceeding two ounces in weight .. .. .	-	15

<i>Letters:</i>	Shs.	Cts.
For every additional four ounces or part thereof .. .. .	-	10
 Patterns and Samples:		
For a packet not exceeding four ounces in weight .. .. .	-	15
For every additional two ounces of part thereof .. .. .	-	10
 Newspapers Registered Under the Postal Regulations:		
For every such newspaper whether posted singly or with others in a packet		
(i) not exceeding twelve ounces.. ..	-	15
(ii) every additional twelve ounces or part thereof .. .. .	-	10
Literature for the Blind:		Free
Parcels:		
For a parcel not exceeding 1 lb .. ..	1	00
For a parcel exceeding 1 lb. but not exceeding 3 lb .. .. .	2	00
For a parcel exceeding 3 lb. but not exceeding 7 lb .. .. .	3	50
For a parcel exceeding 7 lb. but not exceeding 11 lb .. .. .	5	00
For a parcel exceeding 11 lb. but not exceeding 22 lb .. .. .	7	50

3. Rule 9(a) and (b) of the principal Rules is hereby revoked and replaced by the following new rule:-

9. The following charges shall be made for money orders:-

“Money orders”.

(a) *Inland money orders:*

A commission at the following rates:-

<i>Amount of money orders</i>	Rate of <i>Commission</i>	
	Shs.	Cts.
Upton Shs. 100 .. .. ..	1	00
Over Shs. 100 but not exceeding Shs. 200 ..	1	50
Over Shs. 200 but not exceeding Shs. 400 ..	3	00
Over Shs. 400 but not exceeding Shs. 600 ..	4	50
Over Shs. 600 but not exceeding Shs. 800 ..	6	00

Provided that no commission shall be chargeable on issue of money orders remitted by:-

- (i) persons in Pemba for payment to Income Tax Department, Zanzibar;
- (ii) all Government departments;
- (iii) the Postmaster for monthly salary remittances Government Officers;

(b) *International money orders:*

A commission at the following rates:-

<i>Amount of money orders</i>	Rate of <i>Commission</i>	
	Shs.	Cts.
Upto Shs. 100 .. .. ..	2	00
Over Shs. 100 but not exceeding Shs. 200 ..	4	50
Over Shs. 200 but not exceeding Shs. 400 ..	8	00
Over Shs. 400 but not exceeding Shs. 600 ..	12	50
Over Shs. 600 but not exceeding Shs. 800 ..	16	00

Provided that no commission shall be chargeable on issue of money orders remitted by the Postmaster for monthly salary remittances of Government Officers.

Made at Zanzibar this 11th day of March, 1966.

ZANZIBAR,  
11th March, 1966

S. SAADALLA,  
Minister of Work, Communications and Power

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**L.N.  
12 of 1966**

**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE,  
1964  
(Presidential Decree No.8 of 1964)**

**The Confiscation of Immovable Property No.4 Order, 1964  
(Under Section 2(1))**

---

Short title.           1. This Order may be cited as the Confiscation of Immovable Property (No.4) Order, 1966.

Confiscation of House at Uroa.           2. All that House situated at Uroa, Zanzibar and belonging or said to belong to Jamar Fredic Antoine, is hereby confiscated.

By the Order of the President

ZANZIBAR  
12<sup>th</sup> March, 1966

ABOUD JUMBE,  
Minister of Health and Social Insurance

**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE  
1964  
(Presidential Decree No. 8 of 1964)**

---

**L.N.  
13 of 1966**

**The Confiscation of Immovable Property (No.5) Order, 1966  
(Under Section 2(1))**

---

1. This Order may be cited as the Confiscation of Immovable Property (No. 5) Order, 1966.

Short title.

2. All that House No. 3407 situate at Kikwajuni, Zanzibar and belonging or said to belong to Sharifa binti Humud is hereby confiscated.

Confiscation of house belonging to Sharifa binti Humud.

3. The Confiscation of Immovable Property (No.2) Order, 1966 in respect of House No. 2885D is hereby cancelled.

Cancellation of L.N. 6 of 1966.

By the Order of the President

ZANZIBAR  
19<sup>th</sup> March, 1966

ALI SULTAN ISSA,  
Minister for Education and National Culture

/

**L.N.  
14 of 1966**

**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE,  
1964  
(Presidential Decree No. 8 of 1964)**

---

**The Confiscation of Immovable Property (No.6) Order, 1966  
(Under Section 2(1))**

---

Short title. 1. This Order may be cited as the Confiscation of Immovable Property (No. 6) Order, 1966.

Confiscation of houses mentioned in the Schedule. 2. All those houses bearing assessment numbers mentioned in the First Column of the Schedule hereto and belonging or said to belong to the persons mentioned in the Second Column and situate at the places mentioned in the Third Column, are hereby confiscated.

**SCHEDULE**

First Column		Second Column		Third Column
2303	..	Dr. Joseph Albuquerque	..	Vuga
77 & 77A	..	Dr. Joseph Albuquerque	..	Shangani
2828	..	Dr. Joseph Albuquerque	..	Vikokotoni
2717	..	Thaver Madhani	..	Mlandege
2937	..	Dr. Muhamed Ali Awadh	..	Mchangani
I I I	..	Masoud Ali Riyami	..	Shangani
59	..	Hassanali Mohamed Alarakia (Moloo Brothers)	..	Kenyatta Road
	..	Samira Seif	..	Beit-el-Ras
32/2B	..	Khatija binti Bandali	..	Miti Ulaya

By the Order of the President.

ZANZIBAR  
21 April, 1966

S. SAADALA,  
Minister for Works, Communication and Power

**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE,  
1964  
(Presidential Decree No. 8 of 1964)**

**L.N.  
15 of 1966**

**The Confiscation of Immovable Property (No.7) Order, 1964**  
(Under Section 2(1))

---

1. This Order may be cited as the Confiscation of Immovable Property (No. 7) Order, 1966. Short title.

2. All those two shambas belonging or said to belong to the persons mentioned in the First Column of the Schedule hereto and situate at the places mentioned in the Second Column and the boundaries whereof are set out in the Third Column are hereby confiscated. Confiscation of shambas mentioned in the Schedule.

**SCHEDULE**

<i>First Column</i>	<i>Second Column</i>	<i>Third Column</i>
1. Salma Mohammed Rashid	Kombeni	North: Said Mbarak South: Wakf of Joka Haji East: Heirs of Juma Muhsin and the Graveyard West; Bimkubwa binti Sadiq
2. Suleiman Sultan	Mwera- Chem Chem	North: Muhsin Suleiman South: Amour Mohamed Ali Mohamed/Joka Haji West: Seif Muhsin

By the Order of the President.

ZANZIBAR  
5<sup>th</sup> May, 1966

H. MOYO,  
Minister for Agriculture and Land Reform

L.N.  
16 of 1966

**THE CUSTOMS TARIFF DECREE,**

---

**Value of Copra and Coconut Oil for the Purpose of Payment of Duty  
Under Section 8**

---

**IN EXERCISE** of the powers vested in him by section 10 of the Customs Tariff Decree, and otherwise, the Minister for Finance has been pleased to fix the following value for the purpose of payment of duty under the provision of section 8 of the said Decree with effect from the 1<sup>st</sup> day of July, 1966, until the 30<sup>th</sup> day of September, 1966.

	Europe and Countries Other than India and E. Africa	India	E. Africa
Copra .. .. .	£60	£64	£66 per ton
Coconut oil, in new drums	£82	-	£91 per ton
Coconut oil, in second-hand Drums .. .. .	£93	-	£102 per ton
Coconut oil, in 4-gallon tins	£90	-	£99 per ton

The value of copra and coconut oil for the purpose of the payment of duty as notified in Legal Notice No. 10 of 1966 will remain in force until the 30<sup>th</sup> day of June, 1966.

ZANZIBAR  
19 May, 1966

SOUD H. MAULY,  
Acting Principal Secretary,  
Ministry of Finance



**THE PORTS DECREE**

**The Ports (Amendment) Rules, 1966**

**L.N.  
17 of 1966**

**IN EXERCISE** of the powers vested in me under Ports Decree, I hereby make the following Rules:-

1. These Rules may be cited as the Ports (Amendment) Rules, 1966 and shall be read as one with the Ports Rules 1927.

Short title

2. Schedule VII to the Principal Rules in hereby revoked and in place thereof the following Schedule shall have effect:-

Revocation and replacement of Schedule VII to the principal Rules.

"SCHEDULE VII

TARIFF FOR BAGGAGE PORTER

1. For articles carried from bus, motor vehicle or hamali cart via the Baggage Room to boats alongside the landing steps or vice versa-

	Shs.	Cts.
Articles weighing less than 10 lb. .. ..	-	50
Article weighing 10 lb.or more each 10 lb. or part thereof .. .. .	1	50

2. For article (but does not include furniture or any article of which duty has been paid for) carried from ships alongside the pier via Customs Shed No. 14 to any bus, motor vehicle or hamali cart in the customs area or vice versa-

Articles weighing less than 10 lb. .. ..	1	00
Article weighing 10 lb.or more each 10 lb. or part thereof .. .. .	2	00

3. For article (but does not include furniture or any article of which duty has been paid for) carried from ships berthed at the wharf of Zanzibar to the Baggage Room and from the Baggage Room to any bus, motor vehicle or hamali cart in the customs are or vice versa-

	Shs.	Cts.
Articles weighing less than 10 lb. .. ..	1	00
Article weighing 10 lb. or more each 10 lb. or part thereof .. .. . .. ..	2	00

4. Tariff for furniture or for any other article of which duty has been paid for.

From ships to town or vice versa. .. By private arrangement"

Made at Zanzibar this 27th day of May, 1966

ZANZIBAR,  
27<sup>th</sup> May, 1966

S. SAADALLA,  
Minister of Works, Communication and Power

**THE INTERPRETATION DECREE (Cap.1)**

---

**L.N.  
18 of 1966**

**The Zanzibar People's Bank of Zanzibar Limited (Exemption)  
Order, 1966**

---

**IN EXERCISE** of the powers vested in me by section 44 of the Interpretation Decree, I hereby exempt the Zanzibar People's Bank Limited from the payment of any fee or duty payable under the Companies Decree or the Stamp Duty Decree.

2. This Order shall be deemed to have come into force on the 18<sup>th</sup> May, 1966.

Made at Zanzibar this 16<sup>th</sup> day of June, 1966.

ABDULAZIZ A. K. TWALA,  
Minister of Finance

**L.N.  
19 of 1966**

**THE TRADE LICENSING DECREE  
(Cap.97, 1934 Revised Edition)**

---

**Appointment of Board of Trade**

---

**IN EXERCISE** of the powers vested in him by section 6 (1) of the above-mentioned Decree, the President has been pleased to appoint the following to be members of the Board of Trade:-

The Honourable Minister of Finance (Chairman)  
The Honourable Junior Minister (Industry and Trade)  
The Honourable Thabit Kombo, M.P.  
Mrs. Hannah Kisasi.  
Miss Zehra Jafferjee.  
The Principal Secretary (Finance) (Secretary).

By direction of the President.

ZANZIBAR,  
18<sup>th</sup> June, 1966

ABOUD JUMBE,  
Minister of State, Office of the First Vice  
President

**CORRIGENDUM**

**L.N.  
20 of 1966**

In Legal Notice No. 18 of 1966 the expression "Zanzibar People's Bank Ltd" should read the "People's Bank of Zanzibar LTd" wherever it occurs.

ZANZIBAR  
20<sup>th</sup> June, 1966

W. DOURADO,  
Attorney-General

**L.N.  
21 of 1966**

**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE,  
1964  
(Presidential Decree No. 8 of 1964)**

---

**The Confiscation of Immovable Property (No.8) Order, 1966,  
(Under Section 2(1))**

Short title.                   1. This Order may be cited as the Confiscation of Immovable Property (No.8) Order, 1966 and shall be deemed to have come into operation on the 2nd June, 1966.

Confiscation of shamba belonging to Hemed Rashid.                   2. All those shambas belonging or said to belong to Hemed Rashid and situate at Kombeni and the boundaries whereof are set out in the Schedule hereto, are hereby confiscated.

SCHEDULE

- |    |        |                     |
|----|--------|---------------------|
| 1. | North: | Mzee Bin Haji       |
|    | South: | Sharifu             |
|    | East:  | Sharifu             |
|    | West:  | Fadhil bin Mwinyi   |
| 2. | North: | Suleiman Khatib     |
|    | South: | Binti Abdulla       |
|    | East:  | Binti Abdulla       |
|    | West:  | Joka bin Haji       |
| 3. | North: | Juma Bin Suleiman   |
|    | South: | Rashid bin Ali      |
|    | East:  | Aziz bin Shukura    |
|    | West:  | Hemed bin Mzee      |
| 2. | North: | Maulid bin Ramadhan |
|    | South: | Ali bin Haji        |
|    | East:  | Kombo bin Juma      |
|    | West:  | Juma bin Salum      |

By the Order of the President.

ZANZIBAR  
4th July, 1966

H. MOYO,  
Minister for Agriculture and Land Reform

**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE,  
1964  
(Presidential Decree No. 8 of 1964)**

**L.N.  
22 of 1966**

The Confiscation of Immovable Property (No.9) Order, 1966,  
(Under Section 2(1))

---

1. This Order may be cited as the Confiscation of Immovable Property (No.9) Order, 1966. Short title.

2. All those houses bearing assessment numbers mentioned in the First Column of the Schedule hereto and belonging or said to belong to the persons mentioned in the Second Column and situate at the places mentioned in the Third Column, are hereby confiscated. Confiscation of house mentioned in the Schedule.

**SCHEDULE**

First Column	Second Column	Third Column
1230 ..	Alarakhia Khamis Aloo ..	Kokoni
1425 ..	Kisanji Jivandas ..	Kiponda
239 ..	Karimjee Properties Ltd. ..	Hurumzi
542A ..	Estate of Masoud Ali .. El Riyami	Baghani
63 and 64	Jokha Nassor Lemky ..	Kenyatta Road
20/42 ..	Musaji Tayabali and .. his Children	Mwembe Rikunda
15/264..	Suleiman Musaji ..	Michenzani
18/123..	Jivanji Hassanbhai ..	Kwa Ndarama
51 ..	R. Damoder Bhimji &Co. ..	Kenyata Road

By the Order of the President.

ZANZIBAR,  
14th July, 1966

SALEH SAADALLA,  
Minister for Works, Communication and Power

**THE PUBLIC ENTERPRISE DECREE, 1966**

**L.N.  
23 of 1966**

**The Rice Mills Corporation (Establishment) Order, 1966  
(Under Section 2)**

1. This Order may be cited as the Rice Mills Corporation (Establishment) Order, 1966 and shall come into operation on the 1<sup>st</sup> day of August, 1966.

2. There is hereby establishment the Rice Mills Corporation with particulars thereof set hereunder:-

- (1) Name: The Rice Mills Corporation
- (2) Minister Responsible: The Minister for Agriculture and Land Reform
- (3) Object: To undertake, foster and encourage the production and processing of rice, dry cassava, maize and millet with the object of ensuring that Zanzibar is selfsufficient in these products and in furtherance of this object:-
  - (a) either on its own behalf or as agents to deal generally in the products mentioned hereabove;
  - (b) to undertake the processing of the products mentioned hereabove as the Corporation may deem expedient;
  - (c) to seek out and exploit whether by advertisement or otherwise the most suitable way of growing and processing of the products mentioned hereabove;
  - (d) to collect and circulate statistics and information relating to agriculture;
  - (e) to purchase implements, equipment and other requisites necessary in the production and processing of the products mentioned hereabove.
- (4) Head Office: Head Office of the Corporation will be situate at the Head Office of the Ministry of Agriculture in the Township of Zanzibar.

Made at Zanzibar this 20<sup>th</sup> day of July, 1966.

ABEID A. KARUME,  
President



**THE PUBLIC ENTERPRISE DECREE, 1966**

---

**Appointment of Registrar of Public Enterprises  
(Under Section 16 (1))**

---

**L.N.  
24 of 1966**

**IN EXERCISE** of the powers vested in him by subsection (1) of section 6 of the above-mentioned Decree, the President has been pleased to appoint the Administrator-General to be the Registrar of Public Enterprises.

By direction of the President.

ZANZIBAR  
20<sup>th</sup> July, 1966

ABDULAZIZ A. K. TWALA  
Minister of Finance

**L.N.  
25 of 1966**

**THE COMMODITIES CONTROL DECREE, 1966**

---

**The Commodities Control (No.2) Order, 1966**

---

**IN EXERCISE** of the powers vested in me by section 2 of the above-mentioned Decree, I hereby declare that gunny bags shall be a controlled commodity for the purposes of the Decree.

Made at Zanzibar this 27<sup>th</sup> day of July, 1966.

ABDULAZIZ A. K. TWALA,  
Minister of Finance

**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE 1964  
(Presidential Decree No. 8 of 1964)**

**L.N.  
26 of 1966**

---

**The Confiscation of Immovable Property (Revocation) Order,  
1966**

---

1. This Order may be cited as the Confiscation of Immovable Property (Revocation) Order, 1966.

2. The Order in respect of House No. 72 situate at Shangani and said to belong to abdulla Suleiman Harthy and which was confiscated by Confiscation of Immovable Property (No.81) Order, 1965 is revoked with effect from the 29<sup>th</sup> June, 1965.

By Order of the President.

ZANZIBAR  
3<sup>rd</sup> August, 1966

S. SAADALLA,  
Minister for Works, Communication  
and Powers

L.N.  
27 of 1966

**THE CUSTOMS TARIFF DECREE**

---

**Value of Copra and Coconut Oil for the Purpose of Payment of  
Duty  
Under section 8**

---

**IN EXERCISE** of the powers vested in him by subsection 10 of the Customs Tariff Decree, and otherwise, the Minister for Finance has been pleased to fix the following values for the purpose of payment of duty under the provision of section 8 of the said Decree with effect from the 1st day of October, 1966, until the 31st day of December, 1966.

	Europe and Countries Other than India and E. Africa	India	E. Africa
Copra .. ..	£50	£54	£57 per ton
Coconut oil, in new drums	£80	-	£89 per ton
Coconut oil, in second-hand drums .. ..	£88	-	£97 per ton
Coconut oil, in 4-gallon tins	£85	-	£94 per ton

The value of copra and coconut oil for the purpose of the payment of duty as notified in Legal Notice No. 16 of 1966 will remain in force until the 30<sup>th</sup> day of September, 1966.

ZANZIBAR,  
12 August, 1966

A. A. MAHMOUD,  
for Principal Secretary  
Ministry of Finance

**THE MOTOR VEHICLES (THIRD PARTY RISKS)  
DECREE (CAP.136)**

---

**L.N.  
28 of 1966**

**The Motor Vehicles (Third Party Risks) (Approved Insurers)  
(Amendment) Order, 1966, (Under Section 4.)**

---

1. This Order may be cited as Motor Vehicles (Third Party Risks) (Approved Insurers) (Amendment) Order, 1966 and shall be read as one with Motor Vehicles (Third Party Risks) (Approved Insurers) Order.

2. The Schedule to the principal Order is amended by inserting therein immediately after the words "Jupiter General Insurance Co; Ltd". The words "Kenya National Assurance Co. Ltd".

Made at Zanzibar this 27<sup>th</sup> day of July, 1966.

ABOUD JUMBE  
Minister of State  
Office of the First Vice-President

L.N.  
29 of 1966

**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE  
1964  
(Presidential Decree No. 10) Order, 1966**

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**The Confiscation of Immovable Property (No. 10) Order, 1966  
(Under Section 2(1))**

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Short title. 1. This Order may be cited as the Confiscation of Immovable Property (No. 10) Order, 1966.

Confiscation of houses mentioned in the Schedule 2. All those two houses bearing assessment numbers mentioned in the First Column of the Schedule hereto and belonging or said to belong to the persons mentioned in the Second Column and situate at places mentioned in the Third Column, are hereby confiscated.

**SCHEDULE**

<i>First Column</i>	<i>Second Column</i>	<i>Third Column</i>
2885C ..	Ajit Singh Hoogan	.. Kikwajuni
3114 ..	Nurali Ali Jessa	.. Kokoni
1221 ..	Muhammed Said Abdulla Barwani	.. Kokoni

By the Order of the President.

ZANZIBAR  
1<sup>st</sup> September, 1966

S. SAADALLA,  
Minister for Works, Communication  
and Powers

## **THE CUSTOMS TARIFF DECREE**

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**L.N.  
30 of 1966**

IN ACCORDANCE with the provisions of section 30 of the Interpretation Decree, the Government Printer General has, with the authority of the Minister of Finance, printed copies of the Customs Tariff Decree, with all the necessary additions, omissions, substitutions and amendments effected by the amending Decrees up to the 1<sup>st</sup> day of August, 1966. The text of the Decree as so printed is published for general information.

ZANZIBAR,  
13<sup>th</sup> September, 1966

SLOUD H. MAULY,  
Principal Secretary, Ministry of Finance

### **CHAPTER 147**

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### **CUSTOMS TARIFF**

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#### ARRANGEMENT OF SECTIONS

##### Sections

1. Short title.
  2. Import duty.
  3. Exemption from duty.
  4. Alteration of Second Schedule by President with consent of Revolutionary Council.
  5. Value of goods for duty.
  6. Determination of value in special cases.
  7. Rule making power to exempt from import duty on articles imported by tourists.
  8. Duty on coconuts and certain other produce exported.
  9. Duty on cloves and certain other produce exported.
  10. Value of coconuts, copra, coconut oil and soap for purposes of duty.
- Schedule.





(2) For the purpose of obtaining a refund of duty in accordance with the provisions of subsection (1), the purchaser shall submit an application in such manner and containing such particulars, as the Comptroller of Customs may require.

**5.-** (1) For the purpose of any enactment for the time being in force whereunder a duty of customs is chargeable on goods by reference to their value, the value of any imported goods shall be taken to be the price which they would fetch on a sale in the open market in Zanzibar at the time of importation.

Value of goods  
for duty. 4 of  
1945, section 2.

#### Customs Tariff.

(2) For the purpose of computing the price of any goods, under the provisions of subsection (1), it shall be assumed-

(a) that the goods to be valued are to be delivered to the buyer at the port or place of importation, freight, insurance, commission and all other costs, charges and expenses incidental to the making of the contract of sale and the delivery of the goods at that port or place (except any duties of customs payable in Zanzibar and buying commission not exceeding five per centum of the total value which is shown to the satisfaction of the Comptroller of Customs to have been paid to an agent) having been paid by the seller:

Provided that the expression "freight" shall be deemed to include postage, and, in the case of goods imported by air, the Comptroller of Customs shall be empowered to assume that the freight charges paid by the seller are not less than one-fourth of the freight charge actually payable; and

(b) that, in converting the selling price of any such goods from foreign currency to sterling, the rate of exchange is (notwithstanding any thing contained in section 134 of the Customs Management Decree the selling rate for sight drafts at the principal port of Zanzibar first quoted on or after the date of importation; and

Cap. 145.

(c) that any portion of any charge for primage which is refundable on the performance by the buyer of any specified conditions is not paid by the buyer, whether the buyer intends to fulfil such conditions or not; and

- (d) that the price is the sole consideration for the sale of any such goods; and
- (e) that neither the seller nor any person associated in the business with him has any interest, direct or indirect, in the subsequent resale or disposal of any such goods; and
- (f) that there has not been and will not be any commercial relationship between the seller and the buyer, whether created by contract or otherwise, other than that created by the sale of any such goods.

(3) For the purpose of this section two persons shall be deemed to be associated in business with one another, if whether directly or indirectly, either of them has any interest in the business or property of the other, or both have a common interest in any business or property, or some third person has any interest in the business or property of both of them.

Determination of value in special cases. 4 of 1945, section 3.

Cap. 145.

6. Notwithstanding the provisions of subsection (1) of section 5, whenever goods are imported into the islands of Zanzibar under such unusual conditions as to make it, in the opinion of the Comptroller of Customs, inequitable for the value of any such goods to be taken to be the price which they would fetch on a sale in the open market in Zanzibar at the time of importation, the Comptroller of Customs may determine the value of such goods for purpose of duty in accordance with the provisions of the Customs Management Decree.

Rule making power to exempt from import duty on articles imported by tourists. 14 of 1952. s. 2.

7.-(1) Notwithstanding anything to the contrary contained in any law the President may by Rules provide for the total or partial exemption from import duty of any article bought into the islands of Zanzibar by a tourist.

G. N. 74 of 1956.

(2) For the purpose of this section (and of any Rules made thereunder) the word 'tourist' means any person entering Zanzibar and intending to stay therein for a period not exceeding six months in the course of any twelve-month period for non-immigrant purposes such as touring, recreation, sports, health, family reasons, study, religious pilgrimage or business.

8.-(1) Subject to the provision of subsection (2) of this section the following export duties shall be charged, levied, collected and paid for the benefit of the general revenue of the Zanzibar Government in respect of the following goods being the produce of Zanzibar:-

Duty on coconuts and certain other produce exported. Decree 18 of 1959.

- (a) coconuts - 15 per cent. ad valorem;
- (b) copra - 15 per cent. ad valorem;
- (c) coconut oil - 15 per cent. ad valorem;
- (d) mangrove bark - Shs. 4 per ton:

Provided that the duties hereby imposed shall not be payable in respect of coconuts, where the total weight of coconuts exported by any one person at any one time is under one ton and in all cases is shipped accompanied by a passenger or as ships' stores.

(2) The President may from time to time by order direct that the duty imposed by this section in respect of coconuts, copra or coconut oil shall, while the order remains in force, be payable at such lesser rate than that hereinbefore prescribed as shall be specified in the order.

9.-(1) The President shall by order determine the rate of export duty that shall be charged, levied, collected and paid for the benefit of the general revenue of the Zanzibar Government in respect of cloves, mother of cloves and clove stems being the produce of Zanzibar:

Duty on cloves and certain other produce exported. Decree No. 20 of 1961.

Provided that the export duty hereby imposed shall not be payable in respect of cloves, mother of cloves and clove stems exported as genuine trade samples in parcels not exceeding one pound avoirdupois in weight.

(2) Such order shall be published in the *Gazette* during the month of July and shall have effect from the first day of October following such publication.

(3) Any revocation or variation of such order shall be made in the manner set out in subsection (2) and shall have effect in like manner.

L.N. 44 of  
1960

(4) The rate determined under the provisions of the repealed section 9 and notified by publication in the *Gazette* on the 3rd day of July, 1960 shall be deemed to have been determined by order made under the provisions of this section.

Value of coco-  
nuts, copra,  
coconuts oil  
and soap for  
purposes of  
duty.  
22 of 1953.  
section 3.

10. The value of coconuts, copra, coconut oil and soap for the purpose of assessing duty thereon under the provisions of section 8 of this Decree shall be fixed from time to time by the President by notice in the *Gazette*.

#### SCHEDULE 1

<i>Item</i>	<i>Article</i>	<i>Rate of Duty</i>
1.	Meat:	
	(a) Fresh, chilled or frozen ..	12½ per cent. <i>ad valorem</i>
	(b) Bacon and Ham ..	12½ per cent. <i>ad valorem</i>
	(c) Sausages and similar articles not in airtight containers ..	12½ per cent. <i>ad valorem</i> .
	(d) In airtight containers, including extracts and other preparations	12½ per cent. <i>ad valorem</i> .
2.	Cream: evedporated or condensed ..	Sh. 1.00 per 1b.
3.	Cheese: ..	12½ per cent. <i>ad valoren</i> .
4.	Butter, ghee, lard, margarine, and similar edible fats and oils including ghee substitute ..	12½ per cent. <i>ad valorem</i> .
5.	Cereals:	
	(a) Wheat, in the grain ground or otherwise prepared but not including bran ..	Shs. 2.25 per 100 1b
	(b) Rice in the husk (paddy) ..	Shs. 2.40 per 100 1b
	(c) Rice, in the grain, ground or otherwise prepared ..	Shs. 4.00 per 100 1b
6.	Macaroni, vermicelli and similar preparations ..	12½ per cent <i>ad valorem</i> .
7.	Fruits and Nuts:	

<i>Item</i>	<i>Article</i>	<i>Rate of Duty</i>
	(a) Currants (dried) ..	Shs. 3.50 per 100 Ib.
	(b) Other fruit (dried) ..	25 per cent, ad valorem.
	(c) Betel-nuts ..	25 per cent ad valorem.
	(d) Other nuts excluding groundnuts, (unprocessed), coconuts and copra..	25 per cent ad valorem
8.	Onions ..	Shs 2.50 per 100 lb
9.	Garlic ..	12½ per cent. ad valorem.
10.	Sugar: refined or unrefined including jaggery ..	Shs. 8.50 per 100 Ib
11.	Coffee:	
	(a) In the cherry, parchment or bean ..	Shs. 8.00 per 100 Ib.
	(b) Roasted and or ground ..	Cts. 40 per 1b
12.	Tea ..	Cts. 70 per Ib.
13.	Cocoa ..	12½ per cent. <i>ad valorem</i> .
14.	Natural and artificial table water ..	25 per cent. <i>ad valorem</i> .
15.	Fruit juices, syrups and cordials, unfermented ..	Shs. 4.00 per Imp. gall.
16.	Beer, cider and perry of all kinds, of a strength exceeding 3 per cent. of proof spirit. ..	Shs. 10.00 per Imp. gall.
17.	Extracts, essences, preservatives, flavouring and colouring matter for use in the manufacture of mineral waters and similar beverages and also for uses in foodstuffs ..	25 per cent. <i>ad valorem</i> .
18.	wines:	
	(a) Vermouth ..	Shs. 12.00 per Imp. gall.
	(b) Still, other than Sacramental wines	Shs. 12.00 per Imp. gall
	(c) Sparkling ..	Shs. 24.00 per Imp. gall.
19.	Spirits:	
	(a) Liqueurs, cordials, and mixed potable spirits, exceeding 3 per cent. of proof spirit ..	Shs. 180.00 per Imp. gall.
	(b) Other potable spirits exceeding 3 per cent, of proof spirit, e.g. brandy, whisky, rum, gin, geneva and rectified	

<i>Item</i>	<i>Article</i>	<i>Rate of Duty</i>
	spirits other than for use in the compounding of medicines ..	Shs. 200.00 per proof gall.
	Note:- No allowance will be made for under-proof in excess of 12 per cent	
20.	Vinegar ..	25 per cent, <i>ad valorem</i> .
21.	Tobacco:	
	(a) Unmanufactured ..	Shs 25.00 per 100 Ib.
	(b) Manufactured ..	Shs. 44.00 per Ib.
	(c) Cigars, cheroots and cigarillos ..	Shs. 44.00 per Ib.
	(d) Cigarettes ..	Shs 44.00 per Ib.
	(e) Snuff ..	Shs. 4.00 per Ib.
22.	Foodstuffs of all kinds, including confectionery, in bottles,tins, cartons or similar containers, n.e. e.;but not including milk, evaporated or condensed or dried and patent or proprietary milk foods for infants or nursing mothers, maize meal ..	25 per cent, <i>ad valorem</i> .
23.	Animal oils, not including tallow, and fat sand greases, n.e.e., or a registered or licensed medical practitioner for medical purposes or by a registered druggist for the purposes of his business. ..	25 per cent. <i>ad valorem</i> .
24.	Oils, essential (natural and synthetic) and perfumed not being medical or toilet preparations ..	75 per cent. <i>ad valorem</i> .
25.	Gas compressed:	
	(a) gas, for the preparation of acrated waters ..	Cts. 12 per Ib
	(b) Liquid petroleum gas including butane and propane, and mixtures thereof, imported for domestic and industrial consumption. ..	Cts. 8 per Ib.
26.	Dyes and dye-stuffs including laundry	

<i>Item</i>	<i>Article</i>	<i>Rate of Duty</i>
	blue, not including blue imported for the manufacture of soap ..	25 per cent. <i>ad valorem</i> .
27.	Paints and paint pastes, enamels, varnishes, celluloses, distempers, fillers, siccatives, mastics, turpentine, thinners, but not including electrical insulating varnishes and enamels ..	25 per cent. <i>ad valorem</i> .
28.	Printer's ink, stencil ink and inked ribbons ..	25 per cent. <i>ad valorem</i> .
29.	Writing and drawing ink, including ink for stamp pads ..	25 per cent. <i>ad valorem</i> .
30.	Pencils, pencil leads, crayons, paint boxes, artist's paints and materials ..	25 per cent. <i>ad valorem</i> .
31.	Perfumed spirits ..	Shs. 142.00 per Imp. gall or 75 per cent. <i>ad valorem</i> . whichever is the greater.
32.	Perfumery, not including perfumed spirits ..	75 per cent. <i>ad valorem</i> .
33.	Cosmetics and toilet preparations, n.e.e. ..	75 per cent. <i>ad valorem</i> .
34.	Dentifrices ..	20 per cent. <i>ad valorem</i> .
35.	Soaps and Cleaning Preparations:	
	(a) Toilet soap, including shaving soaps and creams ..	20 per cent. <i>ad valorem</i> .
	(b) Other soaps and washing powders excluding medicated soaps ..	20 per cent. <i>ad valorem</i> .
	(c) Shampoos ..	20 per cent. <i>ad valorem</i> .
36.	Manufactures of Rubber and Rubber Substitutes, n.e.e., not including:	
	(a) rubber belting for machinery,	

<i>Item</i>	<i>Article</i>	<i>Rate of Duty</i>
	transmission hose, and electrical material and	
	(b) hot water bottles, nasal douches and similar medical or surgical requisites ..	25 per cent. <i>ad valorem</i> .
37.	Tyres and Tubes, not attached to Wheels or Vehicles and not for use on Agricultural Tractors:	
	(a) Pneumatic:	
	I. Tyres, including the weight of the immediate wrapper	Shs. 1.25 per 1b
	II. Tubes for motor vehicle or for side cars and trailers for motor vehicles	Shs. 1.25 per 1b
	III. Tubes, bicycle and other ..	Shs. 1.25 per Ib.
	(b) Solid, complete or in lengths or pieces ..	Shs. 1.25 per Ib.
38.	Plyboard, pulpboard, plastic and similar composite sheeting and boarding ..	12½ per cent. <i>ad valorem</i> .
39.	trunks, chests, suitcases and similar containers, empty ..	25 per cent. <i>ad valorem</i> .
40.	Builder's wood-work ..	12½ per cent. <i>ad valorem</i> .
41.	Pictures frames and mouldings ..	25 per cent. <i>ad valorem</i> .
42.	Wood and timber unmanufactured, n.e.e., including sawn, planed, smoothed, grooved or tongued, but not including mangrove poles. ..	12½ per cent. <i>ad valorem</i> .
43.	furniture including pictures, ornaments, lampshades and floor coverings ..	25 per cent. <i>ad valorem</i> .
44.	Refrigerators, air-conditioners, domestic deep-freezers but not including cold	



<i>Item</i>	<i>Article</i>	<i>Rate of Duty</i>
	storage plants, refrigerating machinery or parts thereof and refrigerants.	.. 25 per cent. <i>ad valorem</i> .
45.	Newsprint paper	.. Shs. 3.00 per cwt.
46.	Common packing and wrapping paper, including old news-papers	.. 25 per cent. <i>ad valorem</i> .
47.	Printing paper, n.e.e.	.. 12½ per cent. <i>ad valorem</i> .
48.	Cigarette paper	.. 60 per cent. <i>ad valorem</i> .
49.	Paper-bags, cardboard boxes and discs and other manufactures of cardboard, other than when imported for the packing of local produce or manufactures	.. 25per cent. <i>ad valorem</i> .
50.	Writing paper, blotting paper, envelopes, pens and similar stationery	.. 25 per cent. <i>ad valorem</i> .
51.	Other stationery, n.e.e.	.. 25 per cent. <i>ad valorem</i> .
52.	Paper manufactures, n.e.e. but not including bank notes and other paper currency and postage stamps (used or unused)	.. 25 per cent. <i>ad valorem</i> .
53.	Leather, dressed; leather manufactures, n.e.e., imitation and artificial leather and manufactures thereof,, n.e.e.	.. 25 per cent. <i>ad valorem</i> .
54.	Sewing cottons and silks, embroidery cottons and silks, knitting wool and similar yarns and threads	.. 25 per cent. <i>ad valorem</i> .
55.	Piece-goods, not including Bagging and Sacking in the piece and Mosquito Netting:	

<i>Item</i>	<i>Article</i>	<i>Rate of Duty</i>
	(a) Cotton, grey and unbleached ..	Cts. 16 per sq. yd. or 22½ per cent. ad valorem, whichever is the greater.
	(b) Cotton, bleached, and khangas	Cts. 18 per sq. yd. 22½ per cent. ad valorem, whichever is the greater.
	(c) other, of cotton or other material, n.e.e. ..	Cts. 18 per sq. yd. 22½ per cent. ad valorem, whichever is the greater.
	(d) Silk ..	22½ per cent. ad valorem.
	(e) Man made fibres ..	Cts. 30 per sq. yd. or 22 per cent. ad valorem, whichever is the greater.
56.	Ribbons, trimmings, lace, tape, elastic, fastenings and similar haberdashery ..	25 per cent. ad valorem.
57.	Blankets, travelling rugs and coverlets ..	Cts. 90 each or 22½ per cent. ad valorem, whichever is the greater.
58.	Wearing apparel, n.e.e including prepared soles and similar small-wear ..	22½ per cent. <i>ad valorem</i> .
59.	Wearing apparel, second-hand (reconditioned or otherwise) for sale ..	25 per cent. <i>ad valorem</i> .
60.	Table, bed and toilet linen, of cotton or other textile materials including man made fibres ..	25 per cent. <i>ad valorem</i> .
61.	Motor spirit, and products ordinarily used as such; benzine, benzoline, naphtha (non-potable), n.e.e., gasoline,	

<i>Item</i>	<i>Article</i>	<i>Rate of Duty</i>
	petrol and petroleum, shale and coal-tar spirit generally (but not including power paraffin and kerosene), except on proof to the Comptroller of Customs that it is imported for use only as fuel for aircraft and is declared as such at the time of importation ..	Shs. 1.95 per Imp. gall. 62° F
62.	Kerosene and power paraffin ..	Cts. 22 per Imp. gall 62° F
63	Fuel oil, mineral, light amber for high speed engines: Provided that the Comptroller of Customs shall refund the duty on such feul oil on proof that the fuel oil has been used in stationery engines for industrial purposes ..	1.00 Imp. gall. 62°F.
64.	Lubricating oil, vegetable, animal or proof to the Comptroller of Customs that it is imported for use only as a lubricant for aircraft and is declared as such at the time of importation ..	20 per cent. <i>ad valorem</i> .
65.	Lubricating grease, vegetable, animal or mineral, exopt on proof to the Comptroller of Customs that it is imported for use only as a lubricant for aircraft and is declared as such at the time of importation ..	20 per cent. <i>ad valorem</i> .
66.	Candles and tapers ..	Shs. 7.00 per cwt.
67.	Condiments, n.e.e.; prepared sauces, spices, pickles, chutney and similar preparations ..	25 per cent. <i>ad valorem</i> .
69.	Mirrors, imported as such and not forming part of another article or set of other articles ..	25 per cent. <i>ad valorem</i> .
70.	Plate and sheet glass ..	12½ per cent. <i>ad valorem</i> .

<i>Item</i>	<i>Article</i>	<i>Rate of Duty</i>
71.	nterns and lamps, including globes, chimneys and shades and spare  parts thereof	.. 25 per cent. <i>ad valorem</i> .
72.	Table and other household glassware, portable	.. 25 per cent. <i>ad valorem</i> .
73.	jewellery; imitation jewellery, precious and semi-precious stones; beads, including sequins, made of any material	.. 33 per cent. <i>ad valorem</i> .
74.	Gold, silver	.. 25 per cent. <i>ad valorem</i> .
75.	Personal or household requisites, n.e.e., including spoons, forks, dishes, cigarette-lighters and cases, toilet sets and similar articles but not inc- luding binoculars or cups, medals and other trophies, imported for presentation:  (a) As prizes at public examinations, exhibitions, show or for competitions of skill or sport open to the public or members of recognised clubs.  (b) for bravery, good conduct, humanity, for excellence in art, industry, invention, manufactures, learning, science or for meritorious public service.  Provided that proof to the satisfaction of the Comptroller of customs is produced prior to clearing such articles through the customs that they are intended for presentation as specified above	.. 25 per cent. <i>ad valorem</i> .
75A.	Table and other household utensils n.e.e., not including buckets and dustbins	25 per cent. <i>ad valorem</i> .
76.	Household holloware, portable, n.e.e. not including buckets and dustbins	.. 25 per cent. <i>ad valorem</i> .

<i>Item</i>	<i>Article</i>	<i>Rate of Duty</i>
77.	Buckets not including sanitary buckets and dustbins	12½ per cent. <i>ad valorem</i> .
78.	Flat irons, charcoal irons and electric irons	25 per cent. <i>ad valorem</i> .
79.	Nails, screws, bolts, nuts, tack, spikes, rivets, washers, screweyes and hooks and similar fastenings, whether imported as spare parts or not	25 per cent. <i>ad valorem</i> .
80.	Locks, keys, hinges and similar fittings for doors and windows, etc., padlocks	25 per cent. <i>ad valorem</i> .
81.	Household cutlery; scissors.	25 per cent. <i>ad valorem</i> .
82.	Razors	25 per cent. <i>ad valorem</i> .
83.	Safety-razor blades	25 per cent. <i>ad valorem</i> .
84.	Other cutler's wares, n.e.e., but not including article manufactured especially for agricultural, surgical or dental purposes	25 per cent. <i>ad valorem</i> .
85.	Motor Vehicles and Chasis not including Motor Ambulances complete:	
	(a) Motor cars and trailers thereof ..	33 <sup>1</sup> / <sub>3</sub> per cent. <i>ad valorem</i>
	(b) Motor lorries including trailers specially manufactured therefor ..	33 <sup>1</sup> / <sub>3</sub> per cent. <i>ad valorem</i> .
	(c) Motor bicles and tricycles; power-assisted cycles; and side-car therefor, but not including invalid chairs ..	33 <sup>1</sup> / <sub>3</sub> per cent. <i>ad valorem</i> .
	(d) All motor vehicle and motor engine parts and accessories, n.e.e, including motorcar batteries ..	33 <sup>1</sup> / <sub>3</sub> per cent. <i>ad valorem</i> .
	(e) Brake fluid, car polishes, adhesive tape, bostik, gasket shellac, radiator cement, repair outfits including rubber solution and valve tubing ..	33 <sup>1</sup> / <sub>3</sub> per cent. <i>ad valorem</i> .
86.	Office machines and appliances including safes and cash boxes ..	25 per cent. <i>ad valorem</i> .

<i>Item</i>	<i>Article</i>	<i>Rate of Duty</i>
87.	Primus and other portable oil stoves ..	25 per cent. <i>ad valorem</i> .
88.	Sewing machines ..	25 per cent. <i>ad valorem</i> .
89.	weighing balance and scales including petrol and oil delivery pumps embodying measuring devices, but not including balances and scales for scientific, laboratory or medical purposes or for the control of manufacturing operations ..	12½ per cent. <i>ad valorem</i> .
90.	Electric batteries and accumulators, not including batteries and accumulators for use in factories or for medical purposes. ..	25 per cent. <i>ad valorem</i> .
91.	Bulbs and tubes for electric lighting including neon and similar bulbs and tubes ..	25 per cent. <i>ad valorem</i> .
92.	Wireless receiving sets, including radiograms, pick-ups, and extension loud-speakers and parts thereof ..	25. per cent. <i>ad valorem</i> .
93.	Electric torches, complete, and torch cases ..	25. per cent. <i>ad valorem</i> .
94.	Pedal tricycles but not pedal bicycles or children's toys ..	25. per cent. <i>ad valorem</i> .
95.	Perambulators and similar baby carriages ..	25 per cent. <i>ad valorem</i> .
96.	Photographic and Cinematographic Apparatus and appliances thereof, photographic chemicals, unexposed films, plates and printing papers, but not including:	
	(a) Cinematographic projectors and magic lanterns and slides therefor, imported for use in, or by, scientific or educational Institutions.	
	(b) All X-ray equipment ..	25 per cent. <i>ad valorem</i> .

<i>Item</i>	<i>Article</i>	<i>Rate of Duty</i>
97.	Spongers and loofahs ..	25 per cent. <i>ad valorem</i> .
98.	Clocks and watches; not including chronometers, and clocks for public exhibition incorporated as an intergral part of a building ..	25 per cent. <i>ad valorem</i> .
99.	Gramaphones, phonographs and records therefor taperecorders, parts thereof, and tape therefor ..	25 per cent. <i>ad valorem</i> .
100.	Firearms including, airguns and pistols, ammunition, swords, daggers and similar weapons ..	25 per cent. <i>ad valorem</i> .
101	Matches:	
	(a) In boxes of not more than 100 matches ..	Shs. 6.00 per gross boxes
	(b) In boxes of more than 100 and not more than 200 matches ..	Shs. 12.00 per gross boxes
	(c) And for very 100 additional matches or part thereof, in Excess of 200 per box ..	Shs. 6.00 per gross boxes
	(d) Tear-off matches, in strips, discs or booklets ..	Cts. 50 per 1,000 matches.
102.	Fireworks ..	25 per cent. <i>ad valorem</i> .
103.	Umbrellas and parasols ..	25 per cent. <i>ad valorem</i> .
104.	Musical insruments, n.e.e; ..	25 per cent. <i>ad valorem</i> .
105.	Walking sticks, whips, fly switchs and similar articles ..	25 per cent. <i>ad valorem</i> .
106.	Prepared decorative feathers and human hair ..	25 per cent. <i>ad valorem</i> .
107.	Toys, games, and accessories therefor, sports goods, n.e.e; ..	12½ per cent. <i>ad valorem</i> .
108.	Works of art, curios and similar goods, under 100 years old, not including articles imported for permanant exhibition ..	25 per cent. <i>ad valorem</i> .

<i>Item</i>	<i>Article</i>	<i>Rate of Duty</i>
109.	Brooms and brushes ..	25 per cent. <i>ad valorem</i> .
110.	Denatured spirits ..	Shs. 1.50 per Imp. gall.
111.	Cement:	
	(a) Portland and similar cements .. for building purposes	Shs. 1.50 per 400.Ib.
	Note:-Cement in packages of not less than 350 Ib. and not more than 400 Ib. to be deemed 400 Ib.	
	(b) Cement clinker ..	12½ per cent. <i>ad valorem</i> .
	(c) Pudlo, ironite, cementone and similar substances for proofing, hardening or colouring cement ..	12½ per cent. <i>ad valorem</i> .
	(d) plaster of Paris, in bulk ..	12½ per cent. <i>ad valorem</i> .
	(e) Putty ..	12½ per cent. <i>ad valorem</i> .
112.	Metals:	
	(a) Plates and sheets, corrugated, perforated, galvanised or enamelled, including plates covered with lead, tin or zinc, but not including plates and sheets for the packing of oil, kerosene or motor spirit or of goods the product of agriculture or manufacture within Zanzibar ..	12½ per cent. <i>ad valorem</i> .
	(b) Metal ridings, gutterings, down pipes and ventilators ..	12½ per cent. <i>ad valorem</i> .
	(c) Angle, bar, channel, rod, H., T., not worked or fabricated, n.e.e. ..	12½ per cent. <i>ad valorem</i> .
	(d) Fabricated girders and fabricated metal work for buildings and bridges, n.e.e; structural metal work for staging and platforms. ..	12½ per cent. <i>ad valorem</i> .
	(e) Doors and windows and similar finished builders' structural parts whether assembled or not ..	12½ per cent. <i>ad valorem</i> .



<i>Item</i>	<i>Article</i>	<i>Rate of Duty</i>
(f)	Metal pipes and fittings, n.e.e.	.. 12½ per cent. <i>ad valorem</i> .
113.	Asbestos and asbestos cement manufactures, namely sheets, plain or corrugated, slates, tiles, ridging and gutterings, asbestos washers and gaskets, and asbestos packing	.. 12½ per cent. <i>ad valorem</i> .
114.	Bricks, slates, tiles, and cement bloks for building purposes	.. 12½ per cent. <i>ad valorem</i> .
115.	Earthenware pipes and fittings	.. 12½ per cent. <i>ad valorem</i> .
116.	Electric wires and electric lighting fixtures and fittings	.. 12½ per cent. <i>ad valorem</i> .
117.	Sanitary and lavatory appliances lavatory basins, sinks, water closets, urinals, baths, cisterns and taps, overflows and similar fittings therefor	.. 12½ per cent. <i>ad valorem</i> .

## Customs Tariff .

### SCHEDULE II

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#### EXEMPTIONS

1. *Bona fide* baggage, the property of and accompanying a passenger and imported for the personal and household use of the passenger as defined below, but not including goods for sale-

*Bona fide* baggage shall consist of necessary and appropriate wearing apparel and personal effects, binoculars, cameras, parambulators, sports requisites, portable typewriters, toys and articles for household use (such as sewing machines, pictures, furnitures, carpets, glasswares, linen, cutlery, crockery, and plates) which are proved to the satisfaction of the Comptroller of Customs to have been in personal or household use by the passenger and are not for sale; instruments and tools for the professional use of passengers.

Baggage shall not include such goods as arms, ammunition, motor vehicles, film projectors, sound recording machines, wireless apparatus, gramophones, gramophone records, musical instruments (unless elsewhere provided for), piece goods, provisions, stationery, potable spirits, perfumed spirits, cigars, cheroots, cigarillos, cigarettes snuff or tobacco, wines, saddlery or any trade goods.

Provided that:

- (i) *Bona fide* baggage landed within two months of the arrival; of the passenger, or such further period as the Comptroller of Customs may allow, may at the discretion of the Comptroller, be included in the above exemption;
- (ii) Import duty will, at the discretion of the Comptroller, not be levied on alcohol liquors or perfumed spirits not exceeding one pint of each, or on cigars, cheroots, cigarillos, cigarettes, snuff or tobacco, not exceeding in all one half-pound in weight, in the possession of any passenger over

the age of sixteen years. The free allowances do not apply in the case of any passenger who has in his possession any quantity in excess of such allowance and duty is leviable in such cases on the full quantity in his possession.

2. Consular goods:

- (a) Goods imported by or purchased prior to clearing through the Customs by or for the use of any foreign diplomatic or consular mission;  
Household and personal effects, including one motor car each of the diplomatic or consular representative of any foreign country or his family or suite, on first arrival in Zanzibar, if such diplomatic or consular representative is a permanent member of the foreign service of his country and is not engaged in any other business or profession in Zanzibar;
- (b) Goods imported or purchased prior to clearing through the Customs by, or for the personal use of, a permanent member of the diplomatic or consular service of any country, in possession of a diplomatic passport;
- (c) Notwithstanding the provisions of section 2 of this Decree, a refund of import duty may be made from Customs revenue by the Comptroller of Customs, subject to such conditions as he may determine, in respect of motor spirit and products ordinarily used as such and lubrications imported into Zanzibar and which are purchased for his official or personal use in Zanzibar by a diplomatic or consular officer who is a permanent member of the foreign service of a foreign country and who is exempted from the payment of customs duties under this section

For the purpose of obtaining a refund of duty in accordance with the above provision, the purchaser shall submit an application in such manner and containing such particulars as the Comptroller of Customs may require.

3. Goods imported or purchased prior to clearing through the Customs, by the President for his use.

### *Custom Tariff*

4. Goods imported by or purchased prior to clearing through the Customs by or for the use of the Government.

5. Goods imported by or purchased prior to clearing through the Customs by or for the use of the Zanzibar Broadcasting Corporation or the State Fuel and Power Corporation.

6. Road signs, street name plates, traffic signs and signals and street lighting equipment imported by or on behalf of the Zanzibar Municipal Council or a local council established under the Local Government Decree, Cap. 87.

7. Goods imported or purchased prior to clearing through the Customs by or for the use of the East African Airways Corporation in Zanzibar.

8. Goods imported by or purchased prior to clearing through the Customs by or for the use of the East African Common Services Organisation.

9. Telecommunication apparatus, appliances and instruments and spare parts therefor imported for the business use of the Cable & Wireless Limited.

10. Goods imported by or purchased prior to clearing through the Customs, by or for the use of the Peace Memorial Museum.

11. *Bona fide* gifts of clothing, supplies and comforts imported by or on behalf of the Red Cross or by such other charitable organization as the Minister may appoint for charitable use.

12. Religious appurtenances which to the satisfaction of the Comptroller of Customs, are imported solely for religious purposes and are not intended for sale, including coffins, funerary urns and caskets and burial garments.

13. Samples and miscellaneous articles not imported as merchandise which the Comptroller of Customs may decide to be of no commercial value.

14. Machinery, plant, vehicles, equipment, materials, fixtures and fitting imported by an individual or firm for the purpose of establishing or investigating the possibility of establishing a new industry the establishment of which or the investigation of the establishment of which has been approved

for the purpose of this exemption by the Government.

15. School stationery, instruments, appliances, and similar requisites imported by or on behalf of a recognised educational institution solely for the purpose of tuition.

16. Uniforms, materials for uniforms and equipments imported by or on behalf of the Boy Scout, Girl Guide or other similar associations.

17. Band instruments and stands imported by or on behalf of or for presentation to Boy Scout, Girl Guide or other similar associations and not being the property of individuals.

18. Goods imported by or purchased prior to clearing through the Customs by or for the use of a sports association approved by the Comptroller of Customs and not imported or purchased for the use of any individual club.

19. Radio and other equipment requisites for the maintenance of safety in air travel.

20. Such specially designed article which are proved to the satisfaction of the Comptroller of Customs to be essential for the educational, scientific or cultural advancement of the blind imported directly by an institution or organisation concerned with the welfare of the blind.

21. Surgical, medical and dental instruments, appliances and equipments, materials and sundries, on proof to the satisfaction of the Comptroller of Customs that they are imported for *bona fide* use in the diagnosis or treatment of disease or affections of the human or animal body.

For the purpose of this Schedule-

"n.e.e." means "not elsewhere enumerated".

Goods chargeable with duty by weight are, except where otherwise provided for, charged with duty on the net weight, which may be arrived at either by weighing net, or deducting from the gross weight the actual tare or an average tare agreed to by the importer.

Tins, jars, bottles and other receptacles of reputed weight or content to be deemed not less than such weight or content.

“Proof” means the strength of proof as ascertained by Sykes’ hydrometer.

“Proof spirit” means spirit which, at a temperature of fifty - one degree Fahrenheit, weigh twelve-thirteenths of an equal volume of distilled water at the same temperature.

Integral parts of an article which is liable to an *ad valorem* duty, or is free of duty, imported of replacement purposes or as spare parts, shall be liable to the same rate as the article itself, or free of duty, as the case may be, unless they are specifically excluded, or provided for elsewhere, in the Tariff.

L.N.  
31 of 1966.

**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE,  
1964  
(Presidential Decree No. 8 of 1964)**

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**The Confiscation of Immovable Property (No. 11) Order, 1966  
(Under Section 2(1))**

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Short title.

1. This Order may be cited as the Confiscation of Immovable Property (No. 11) Order, 1966.

Confiscation of shambas mentioned in the Schedule.

2. All those shambas belonging or said to belong to the person mentioned in the First Column of the Schedule hereto and situate at the places mentioned in the Second Column and the boundaries whereof are set out in the Third Column, are hereby confiscated.

**SCHEDULE**

<i>First Column</i>	<i>Second Column</i>	<i>Third Column</i>
1. Mohammed Ali (Hindoo)	.. Chongowe Donge Unguja	North: Heirs of Ame Suleiman and others.  South: River and others East: Ali Mahimbo and others West: River and others.
2. Salum Said	.. Mfenesini Mapofu (Donge Unguja)	other North: Mgeni Bakari and others. South: Haji Khamis and others. East: Hamada Ali and others. West: Ameir Mohamed and others.
3. Nassor Hemed	.. Mtambile (Donge Unguja)	North: Khamis Mzee and others. South: Juma Khatibu and others. East: Vuai Madai and



<i>First Column</i>	<i>Second Column</i>	<i>Third Column</i>
		others. West: Heirs of Chum Ame and others.
4. Ali Nassor	.. Kwa Mzembe (Donge Unguja)	North: Sultan Suleiman. South: Silima Jaku. East: Hussein Bachoo. West: Khamis mtandiko and Omar Fum
5. Azza binti Ali	.. Kiombamvua Fujoni (Unguja)	North: Hassan Abdalla. South: Abdalla Suleiman. East: Abdalla Suleiman. West: Sleyum Hamed

By the Order of the President.

ZANZIBAR  
16<sup>th</sup> September, 1966

H. MOYO,  
Minister of Agriculture and Land  
Reform

**L.N.  
32 of 1966**

**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE  
1964**

**(Presidential Decree No. 8 of 1964)**

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**The Confiscation of Immovable Property (No.12) Order, 1966**  
(Under Section 2(1))

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Short title.

1. This Order may be cited as the Confiscation of Immovable Property (No. 12) Order, 1966.

Confiscation of houses mentioned in the Schedule.

2. All those two houses bearing assessment numbers mentioned in the First Column of the Schedule hereto and belonging or said to belong to the persons mentioned in the Second Column and situate at the places mentioned in the Third Column, are hereby confiscated.

SCHEDULE.

<i>First Column</i>		<i>Second Column</i>		<i>Third Column</i>
3305	..	Raya binti Ali Said el-Kharusia	..	Kikwajuni
33/174	..	Talib Salim Ahmed	..	Mtakuja.

By the Order of the President.

ZANZIBAR,  
20th September, 1966

S. SAADALLA,  
Minister for Works, Communication  
And Power

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**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE,  
1964**

**L.N.  
33 of 1966**

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**(Presidential Decree No. 8 of 1964)**

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**The Confiscation of Immovalbe Property (Revocation) (No.2)  
Order, 1966**

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1. This Order may be cited as the Confiscation of Immovable Property (Revocation) (No.2) Order, 1966.

Short title.

2. The Order in respect of House No. 522 situate at Baghani and said to belong to Hamed Suleiman and which was confiscated by the Confiscation of Immovable property (No. 87) Order, 1965 is hereby revoked.

Revocation.

By the Order of the President.

ZANZIBAR,  
28th September, 1966

S. SAADALLA,  
Minister for Works, Communication  
and Power

**L.N.  
34 of 1966**

**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE,  
1964  
(Presidential Decree No. 8 of 1964)**

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**The Confiscation of Immovable Property (No.13) Order, 1966  
(Under Section 2 (1) )**

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Short title.

1. This Order may be cited as the Confiscation of Immovable Property (Revocation) (No.13) Order, 1966.

Confiscation of house mentioned in the Schedule.

2. All those houses bearing assessment numbers mentioned in the First Column of the Schedule hereto and belonging or said to belong to the persons mentioned in the Second Column and situate at the places mentioned in the Third Column, are hereby confiscated.

SCHEDULE.

<i>First Column</i>		<i>Second Column</i>		<i>Third Column</i>
2641A	..	Fateh Ali Poonja Kara	..	Mbuyuni
3275	..	Poonja Kara Haji	..	Mlandege
3275A	..	Poonja Kara Haji	..	Mlandege
3276	..	Poonja Kara Haji	..	Mlandege

By the Order of the President.

ZANZIBAR,  
30th September, 1966

S. SAADALLA,  
Minister for Works, Communication  
And Power

**THE REVISED LAWS AND ANNUAL REVISION DECREE, 1961  
(NO. 16 of 1961)**

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**NOTICE**

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**L.N.  
35 of 1966**

**Directions for the Rectification of Errors in the Laws of Zanzibar**

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IN EXERCISE of the powers conferred upon me by section 16 of the Revised Laws and Annual Revision Decree, 1961, I hereby give directions for the rectification of errors appearing in the Laws of Zanzibar in the manner following:-

For "1944" in line 2 of section 1 of Decree No. 8 of 1965 substitute "1964".

Substitute figure "3" appearing at the beginning of line 15 of page 30 of the Legal Supplement (Part 1) 1965 with figure "8".

In line 2 of section 1 of Decree No. 14 of 1965 after "Decree, 1965". insert "and shall be read as one with the Afro-Shirazi Party Decree, 1965, hereinafter referred to as the principal Decree" and in the margin against this section add "Decree No. 11 of 1965".

Section 1 of Decree No. 15 of 1965 should be amended by:-

- (a) inserting after "Decree, 1965:", occurring in line 2 the following words "and shall be read as one with the Air port Service Charge Decree".
- (b) inserting in the third line the word "have" after the words "and shall be deemed to"; and
- (c) adding in the margin against the second line "Decree No. 19 of 1963".

In the margin against line 3 of section 1 of Decree No. 19 of 1965 add "Cap. 110".

Insert the word "visitors" after the words "the Chairman may invite" occurring in the first line of subsection (3) of section 4 of the Presidential Decree No. 1 of 1966.

The letter "a" between the brackets appearing at the beginning of line 9 of section 2 of Decree No. 6 of 1966 should be deleted and replaced by the letter "c".

The words "Trades Licensing" appearing in line 2 of section 1 of Decree No. 10 of 1966 should be deleted and replaced by the word "Interpretation".

Section 70 of the principal Decree, Cap. 163 of the Revised Laws of Zanzibar is amended by deleting the semi-colon and the word "or" appearing at the end of paragraph (b) of subsection (1) thereof and substituting therefor a full stop.

Legal Notice No. 11 of 1964 published on 27th June, 1964, under Legal Supplement (Part II). Add in the margin against line 3 of section I " Cap. 91" and against line 1 of section 2 " L.N. 77 of 1963".

The word "therefore" occurring in line 3 of section 2 of Legal Notice No. 98 of 1965 published under Legal Supplement (Part II) of 10th July, 1965 should read "therefor".

Section 2 of Legal Notice No. 99 of 1965 published under Legal Supplement (Part II) of 10th July, 1966 should read as follows: Rule 4 of the principal Rules is amended by deleting the word "fifteen" appearing in the first line of paragraph (2) thereof and substituting therefor the word "twenty".

ZANZIBAR  
6th October, 1966

W. DOURADO,  
Attorney-General.

**THE MINIMUM WAGES DECREE**

**L.N.  
36 of 1966**

**(Cap. 64)**

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IN EXERCISE of the powers vested in me by section 2 of the Minimum Wages Decree, I hereby make the following Order:-

**The Minimum Wages (Amendment) Order, 1966**

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1. This Order may be cited as the Minimum Wages (Amendment) Order, 1966 and shall be read as one with Minimum Wages Order.

2. The principal Order is hereby amended by inserting immediately after Part IV thereof the following new Part:-

**" PART V  
Coconut Plantation Employees**

---

9. The minimum wage for the work specified in the First Column of the Sixth Schedule shall be at the rate specified in the second column of the said Schedule".

3. The principal Order is further amended by inserting after the Fifth Schedule thereof the following Schedule:-

**"SIXTH SCHEDULE**

**(Paragraph 9)**

<i>Nature of Work</i>		<i>Rate</i>
1. Climbing coconut trees to knock down coconuts	..	Shs. 10/- per 100 coconut trees
2. Picking coconuts	..	Shs. 8/- per 1000 coconuts
3. Collecting coconuts	..	Shs. 4/- per day

4. Husking Coconuts .. Shs. 6/- 1000 coconuts
5. Breaking coconuts .. Shs. 7/- per 1000 coconuts.

Made at Zanzibar, this 12th day of October, 1966.

ABOUD JUMBE,  
Minister of State,  
Office of the First Vice-President.



**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE,  
1964**

**L.N.  
37 of 1966**

**(Presidential decree No. 8 of 1964)**

**The Confiscation of Immovable property (No. 14) Order, 1966**  
(Under Section) 2 (1) )

1. This Order may be cited as the Confiscation of Immovable Property (No. 14) Order. 1966.

Short title

2. All those houses bearing assessment numbers mentioned in the First Column of the Schedule hereto and belonging or said to belong to the persons mentioned in the Second Column and situate at the places mentioned in the Third Column, are hereby confiscated.

Confiscation of houses mentioned in the Schedule.

SCHEDULE		
<i>First Column</i>	<i>Second Column</i>	<i>Third Column</i>
127 ..	Karimjee Properties Ltd.	.. Shangani
166 ..	Karimjee Properties Ltd.	.. Gizenga Street
179 ..	Karimjee Properties Ltd.	.. Gizenga Street
237/38 ..	Karimjee Properties Ltd.	.. Hurumzi Street
1995 ..	Karimjee Properties Ltd.	.. Shaksi Street
2281 ..	Karimjee Properties Ltd.	.. Vuga
2255 ..	Karimjee properties Ltd.	.. Mnazi Mmoja
1724 ..	M/S Karimjee Jivanjee & Co. Ltd	Mkunazini

By the Order of the President.

ZANZIBAR,  
13th October, 1966

S. SAADALLA  
Minister for Works, Communications  
and Power

**L.N.  
38 of 1966**

**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE,  
1964  
(Presidential Decree No. 8 of 1964)**

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**The Confiscation of Immovable Property (No. 15) Order, 1966**  
(Under Section 2 (1) )

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Short title                    1. This Order may be cited as the Confiscation of Immovable Property (No. 15 ) Order, 1966.

Confiscation of buildings mentioned in the Schedule.                    2. All those buildings bearing assessment numbers mentioned in the First Column of the Schedule hereto and belonging or said to belong to the persons mentioned in the Second Column and situate at the places mentioned in the Third Column, are hereby confiscated.

SCHEDULE

<i>First Column</i>		<i>Second Column</i>		<i>Third Column</i>
1352	..	Auto Sales Service & Exchange Limited	..	Malindi
1213G/H/I	..	Daudi Bohora Jamat	..	Creek Road
2653G/H	..	M.Takim & Company	..	Kamuzu Banda Road
3400	..	Gulamhusein Jamal Pardhan	..	Kamuzu Banda Road
1175	..	Messrs. Mussa Jusban & Sons	..	Creek Road

By the Order of the President.

ZANZIBAR,  
24th October, 1966

ABOUD JUMBE,  
Minister of State,  
Office of the First Vice-President

**THE BANK OF TANZANIA ACT, 1965**

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The text of the above-mentioned Act which extends to Zanzibar as well as to Tanganyika and binds the United Republic is published below for general information.

**L.N. 39 of  
1966**

ZANZIBAR  
5th October, 1966

W. DOURADO,  
Attorney-General

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**AN ACT TO PROVIDE FOR THE ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE BANK OF TANZANIA AS CENTRAL BANK, TO PROVIDE FOR THE CURRENCY OF TANZANIA, TO PROVIDE THAT THE BANK SHALL BE BANKER TO THE GOVERNMENT AND SHALL HAVE CERTAIN POWERS IN RELATION TO OTHER BANKS AND FINANCIAL INSTITUTIONS, TO EXTEND THE BANKING ORDINANCE TO ZANZIBAR AND TO MAKE CERTAIN AMENDMENTS TO THE LAW RELATING TO BANKING AND EXCHANGE CONTROL, AND FOR CONNECTED PURPOSES**

[.....]

ENACTED by the Parliament of the United Republic of Tanzania.

PART I  
PRELIMINARY

- 1.-(1) This Act may be cited as the Bank of Tanzania Act, 1965. Short title and commencement.
- (2) This Act shall come into operation on such date as the President shall, by notice published in the Gazette, appoint and the President may appoint different dates for the coming into operation of the different provisions of this Act.
2. This Act shall extend to Zanzibar as well as to Tanganyika and shall bind the United Republic. Application
3. In this Act, unless the context otherwise requires-

“the Bank” means the Bank of Tanzania established by this Act;  
“bank” except when used in the expressions “central bank” and “foreign bank”, means any undertaking carrying on banking business in Tanzania but does not include any undertaking specified in section 31 of the Banking Ordinance;

“banking business” means the business of receiving money on current account subject to withdrawal by cheque;

“the Board” means the Board of Directors of the Bank;

“Director” means a member of the Board other than the Governor, the Director-General or the Principal Secretary to the Treasury;

“foreign exchange” means foreign currencies and claims in and to foreign currencies;

“member” in relation to the Board, means the Governor, the Director-General, the Principal Secretary to the Treasury or a Director;

“the Minister” means the Minister for the time being responsible for financial matters;

“public authority” means-

- (a) the authority for any political sub-division of the United Republic (including any city, municipal, town or district council);
- (b) any common services authority of which Tanzania is a members;
- (c) any corporation, agency or enterprise specified for the purpose of this Act by the Minister after consultation with the Bank;

“specified financial institution” means a credit institution, other than a bank, which is specified by the Bank for the purposes of this Act.

## PART II

### THE CENTRAL BANK

#### (a) *Establishment and functions of the Bank*

4. There is hereby established a corporation, to be called the Bank of Tanzania , which shall-

Establishment of Bank

- (a) have perpetual succession and a common seal;
- (b) in its corporate name be capable of suing and being sued; and
- (c) subject to the provisions of this Act, be capable of acquiring holding and alienating any movable or immovable property.

5.-(1) The Principal functions of the Bank shall be to exercise the functions of a central bank, and, without prejudice to the generality of foregoing to issue currency, to regulate banking and credit, to manage the gold and foreign exchange reserves of Tanzania, and to perform any function conferred upon it (or to act as the agent of the Government in respect of any function conferred on the Government) by or under any international agreement to which Tanzania is a party.

Principal functions and objectives

(2) Within the context of the economic policy of the Government, the activities of the Bank shall be directed to the promotion of the credit and exchange conditions conducive to the rapid growth of the national economy of Tanzania, due regard being had to the desirability of fostering monetary stability.

(b) Management of the bank

6. There shall be a Board of Directors of the Bank and, subject to this Act, the Board shall be responsible for determining the policy of the Bank, for the approval of its administrative budget and for such other functions as are specifically conferred or imposed upon the Board by this or any other written law.

Board of Directors

7.-(1) The Board shall consist of:

- (a) a Governor, who shall be chairman;
- (b) a Director-General, who shall be deputy chairman;
- (c) the Principal Secretary to the Treasury; and
- (d) five Directors

Composition of the board

(2) The Governor and the Director-General shall be appointed by the President and each shall hold office, unless he sooner dies or resigns or vacates or is removed from his office in accordance with section 8, for the period specified in the instrument by which he is appointed, and shall be eligible for re-appointment.

(3) The Directors shall be appointed by the Minister, and each shall hold office unless he sooner dies or resigns or vacates or is removed from his office in accordance with section 8, for a term of three years, and shall be eligible for re-appointment:

Provide that-

- (a) of the Directors first appointed, two shall retire after the expiry of one year and a further two after the expiry of two years, the persons who shall so retire being chosen by ballot; and
- (b) the term of office of a person appointed a Director in the place of a Director who ceased to hold office before completing his term shall be the residue of the term of the Director whom he replaces.

(4) If a member of the Board (other than the Principal Secretary of the Treasury) is, for any reason, unable to perform the functions of his office, the President or the Minister, as the case may be, may appoint an alternate for such member, and, unless he sooner dies or resigns or vacates or is removed from his office in accordance with section 8, the person so appointed shall have the powers and capacities of the member for whom he is appointed alternate until such time as the President or the Minister, as the case may be, determines such member is again able to perform the functions of his office.

Disqualifica-  
tion for mem-  
bership, and  
removal from  
the Board

8.-(1) No person shall be qualified to be appointed a member of the Board, or an alternate for a member, if he is-

- (a) a member of the National assembly;
- (b) a person holding office in the service of the United Republic;
- (c) a director, officer, employee or shareholder of a bank in respect of which the Bank may exercise a regulatory power under Part IV.

(2) A member of the Board or alternate shall vacate his office if-

- (a) he acquires any attribute which, were he not a member, would disqualify him for appointment under subsection (1);
- (b) he becomes bankrupt or suspends payment or compounds with his credits;
- (c) he is adjudged or otherwise declared to be of unsound mind; or
- (d) he is absent, without the leave of the Board, from the meetings of the Board for a consecutive period of three months.

(3) A member of the Board of alternate may be removed from office by the President, but shall not be so removed except for inability to discharge the functions of his office (whether arising from infirmity of body or mind or from any other cause) or misbehavior (whether in connection with his office or otherwise).

(4) Nothing in this section applies to the Principal Secretary to the Treasury or to any person whom he appoints his representative in accordance with subsection (4) section 9.

9.-(1) the Board shall meet as often as may be required for the conduct of the business and affairs of the Bank, but not less frequently than once in every two months.

Meetings of  
the Board

(2) Meetings of the Board shall be convened, and notice given thereof, in accordance with the By-laws of the Bank and, in addition, the Governor (or in his absence the Director-General) shall convene a meeting of the Board within a reasonable time of a requisition in that behalf by any member of the Board.

(3) The quorum at meeting of the Board shall be four members, one of whom shall be either the Governor or the Director-General:

Provided that where, in the opinion of the Governor (or in his absence the Director-General) any matter of business is of an unusually urgent nature which cannot await the convening of a meeting consisting of such quorum (such opinion to be recorded in the minutes of the Board), the matter may be decided at a meeting of the Governor (or in his absence the Director-General) and the Principal Secretary to the Treasury and such decision shall be as valid and binding on the Bank as if it were

a decision of a meeting consisting of such quorum. Every such decision shall be reported to the Board at its next regular meeting.

(4) The Principal Secretary to the Treasury may appoint in writing a person in the service of the United Republic to be his representative at any meeting of the Board; and such representative shall, at any meeting for which he is appointed, have the powers of the Principal Secretary in his capacity as a member of the Board.

(5) Subject to the provisions of subsection (6), questions arising at meetings of the Board shall be decided by the votes of the majority of the members present and voting, and, in the event of an equality of votes, the chairman (or in his absence the deputy chairman) shall have a second or casting vote.

(6) The chairman (or in his absence to deputy chairman), or the Principal Secretary to the Treasury or his representative, may require that the decision on any question be postponed to a meeting of the Board to be held not less than seven days after the meeting at which the requirement is notified; and where such a requirement is made, the question shall be postponed, without vote, to the next such meeting unless the person making the requirement consents to its being decided earlier.

(7) Subject to the provisions of subsection (3), no act or proceeding by the Board shall be invalidated by reason of the existence of a vacancy among the members, and all acts done by a person in good faith as a member of the Board shall be valid notwithstanding that some defect in his appointment or qualifications be afterwards discovered.

The Governor  
and Director  
General

10.-(1) Subject to the provisions of this act, the management of the Bank and the direction of its business and affairs shall be vested in the Governor, and the Governor shall, in the exercise of such functions of management and direction, conform with the policy determined by the Board.

(2) The Governor shall have power to exercise and perform all the functions, powers and duties of the Bank, other than any function specifically conferred on the Board, and to authorize expenditure within the administrative budget approved by the Board.



(3) The Governor shall be the principal representative of the Bank and shall, in such capacity, have authority-

- (a) to represent the Bank in its relations with other institutions, including the Government;
- (b) to represent the Bank, either personally or by advocate or other counsel, in any legal proceedings to which the Bank is a party;
- (c) to sign, solely or jointly with other persons, agreements concluded by the Bank, notes or securities issued by the Bank, reports, balance sheets and other financial statements, correspondence and other documents of the Bank;
- (d) to delegate any authority provided for in this subsection to any member of the board or other officer of the Bank.

(4) The Director-General shall-

- (a) subject to the general supervision of the Governor, be responsible for the day-to-day management, business and affairs of the Bank;
- (b) perform such other duties as may be imposed upon him from time to time by the Governor;
- (c) have full power to act for the Governor in the absence of the Governor.

(5) The exercise by the Director-General of any function of the Governor shall, in the absence of proof to the contrary, be deemed to be a valid exercise of such function pursuant to subsection (4).

(6) The Governor and the Director-General shall devote the whole of their professional time to the services of the Bank and shall not, while holding their respective office, occupy or hold any other paid office or employment or engage in any professional or business activity;

Provided that nothing in this subsection shall prohibit either of them from-

- (a) becoming or acting as a member of any commission or committee appointed by the Government to enquire into any matter relating to currency or banking or to financial or economic affairs;
- (b) becoming or acting as Governor, director or member of the board of any international bank or monetary authority to which the Government shall have adhered or given support or approval; or
- (c) becoming or acting as a director of any corporation in Tanzania in which the Bank may participate pursuant to section 59.

Remuneration  
of members of  
the Board

11.-(1) The Governor, the Director-General and any alternate appointed for either of them pursuant to subsection (4) of section 7 shall be paid and accorded by the Bank such salaries, allowances (including retirement allowances) and other terms of service as may be determined from time to time by the President; and the salary, allowances and other terms of service of a Governor or a Director-General shall not be reduced or otherwise diminished during his term of office.

(2) The Director of the Bank and any alternate appointed for any of them pursuant to subsection (4) of section 7 shall be paid by the Bank such fees and allowances as may be determined from time to time by the Minister.

Other officers  
and staff of the  
Bank

12.-(1) Subject to the general terms and conditions of service and to the establishment prescribed by the Board, the Governor shall be responsible for the appointment, termination of appointment and discipline of the staff of the Bank.

(2) The powers of the Board to make provisions for the staff of the Bank shall include power to provide for benefits for or in respect of those of its staff who die or retire, and their surviving dependants, and such other benefits and facilities as are usually accorded to employees in Tanzania.

Secrecy

13. Except for the purposes of the performance of his functions, or when so required or authorized by the Board, or when so required by law, no member of the Board or of the staff of the Bank shall disclose any information relating to the Bank or to any transaction or customer of the Bank which he has acquired in the course of his duties.

(c) *Capital, reserves and accounts of the Bank*

14.-(1) The authorized capital of the Bank shall be twenty million Shillings.

Authorized capital

(2) The capital of the Bank shall be subscribed and held only by the United Republic.

15.-(1) The Bank shall establish and maintain a general reserve fund.

General reserve fund and allocation of profits

(2) At the end of each financial year, after allowing for the expenses of operation during that year, and after making provision for any payment charged on the profits by section 16, bad and doubtful debts, depreciation of assets, contributions to staff and superannuation funds, carry-over into the next financial year and such other contingencies and accounting provisions as are customarily made by banks-

(a) the bank, after consultation with the Minister, shall transfer to the general reserve fund-

(i) if the amount of moneys in that fund is less than the authorized capital of the Bank, not less than one-quarter of its net profits; or

(ii) if the amount of moneys in that fund equal or exceeds the authorized capital of the Bank but is less than three times the amount of that capital, not less than one-eighth of its net profits; and

(b) the remainder of the net profits of the Bank shall be paid into the Consolidated Fund:

Provided that if, at the end of the financial year the Government is indebted to the Bank, the Bank shall apply the remainder of its net profits to the reduction or discharge of such indebtedness and the balance, if any, shall be paid into the Consolidated Fund.

(3) Profits or losses from any revaluation of the Bank's net assets or liabilities in gold, foreign exchange or foreign securities as a result of any change in the par value of any currency unit, shall be excluded from the computation of the annual profits and losses of the Bank. All such first-mentioned profits or losses shall be transferred to a special account to be called the revaluation account.

Revaluation account

Losses charged  
on Consoli-  
dated Fund  
Fund

16.-(1) The amount of any net loss of the Bank in excess of the moneys standing to the credit of the general reserve fund of the Bank shall be charged upon, and paid out of, the Consolidated Fund without further appropriation than this Act.

(2) Where, in pursuance of subsection (1) of this section, any sum is paid out of the Consolidated Fund, the Bank shall out of its subsequent profits repay the same to the Consolidated Fund, and such repayment shall be a first charge on the profits of the Bank.

Financial  
year,  
accounts  
and audit

17.-(1) The financial year of the Bank shall be the same as the Government's financial year and the accounts of the Bank shall be closed at the end of each financial year.

(2) The Bank shall cause true and full accounts and records to be kept of all its transactions, and the books of accounts and records shall be kept at its head office and shall be open at all times to the inspection of the members of the Board.

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(3) Notwithstanding anything contained in the Exchequer and Audit Ordinance, the accounts of the Bank shall be audited annually by such auditor as the Minister shall appoint.

(4) Without prejudice to the provisions of subsection (3), the Minister may, at any time, require the Controller and Auditor-General or such other auditor as he may appoint, to make an examination of, and to report on, the accounts of the Bank, and where the Minister so requires, the Bank shall provide all necessary and proper facilities for such examination.

(5) Where the accounts of the Bank are audited or examined by an auditor other than the Controller and Auditor-General, the fees for such audit or examination shall be determined by the Minister and paid by the Bank.

Reports

18.-(1) The Bank shall submit to the Minister-

- (a) within three months after the close of each financial year, a report of the Bank's operations throughout that year, together with the balance sheet and profit and loss account for that year, certified by the auditor;

(b) half yearly reports of the economic situation, with special reference to financial development, and of the policies followed by the Bank, and the Minister shall lay a copy of every such report before the National Assembly.

(2) After a copy of a report has been laid before the National Assembly, the report shall be published by the Bank.

(3) In addition to any reports published by the Bank pursuant to the foregoing provisions of the section, the Bank may issue such other publications as it considers to be in the public interest.

*(d) Supplementary*

19. The Bank may establish offices and branches at such places both within and outside Tanzania as it considers necessary.

Offices and branches

20. The Bank may appoint agents and correspondents both within and outside Tanzania.

Agents and correspondents

21.-(1) The Bank shall be exempt from income tax, from any other tax, duty or levy, and from the payment of such fees as the Minister may determine.

Exemption from tax

(2) If any question arises whether any charge, impost or fee is a tax, duty, levy or fee from which the Bank is exempt, the matter shall be referred to the Minister whose decision shall be final.

(3) The provision of this section shall have effect notwithstanding anything contained in any Act of the Common Services Organization.

22. The Companies Ordinances, the Banking Ordinance and the Companies Decree of Zanzibar shall not apply to the Bank, and the Bank shall not be placed in liquidation or wound up except pursuant to, and in such manner as is provided by, an Act of Parliament.

Companies and Banking Ordinances not to apply T.Caps. 212,419 and 430, Z. Cap. 153

23. The Board may make By-laws for the good order and management of the Bank, but, notwithstanding anything contained in the Interpretation and General Clauses Ordinance, it shall not be necessary for such By-laws to be published in the *Gazette*.

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PART III  
CURRENCY  
*(a) Currency and its issue*

Unit of currency            24. The unit of currency in Tanzania shall be the shilling, each shilling being divided into one hundred cents.

Parity of the shilling        25.-(1) The par value of the shilling in terms of gold shall be determined by the President on the advice of the Bank and in accordance with any international agreement in that behalf to which Tanzania is a party.

(2) Notice of such determination shall be published forthwith in the Gazette.

Sole right of issue            26. The Bank shall have the sole right to issue bank notes and coins in and for Tanzania and, subject to section 33, only bank notes and coins issued by the Bank shall be legal tender in Tanzania.

Denominations and form of notes and coins.        27.-(1) Bank notes and coins issued by the Bank-

(a) shall be in such denominations of the shilling or fractions thereof expressed in cents; and

(b) shall be of such materials, forms and designs, shall bear such inscriptions and devices, and shall have such other characteristics, as the Bank, with the approval of the Minister, shall determine.

(2) The Bank shall give notice in the Gazette of the denominations and other characteristics of the bank notes and coins which it issues.

Legal tender                28.-(1) Subject to the provisions of this section-

(a) bank notes issued by the Bank shall be legal tender at their face value for the payment of any amount;

(b) coins issued by the Bank shall, if they have not been tampered with, be legal tender at their face value-

(i) in the case of a shilling, or any multiple of a shilling, for the payment of any amount;

- (ii) in the case of coins having a face value of fifty cents, for the payment of any amount not exceeding twenty shillings; and
- (iii) in the case of coins of any lower denomination than fifty cents, for the payment of any amount not exceeding five shillings.

(2) The Bank shall have power, on giving reasonable notice in the Gazette, to call in any notes or coins issued by it on payment (subject to the provisions of section 29) of the face value thereof; and any notes or coins with respect to which a notice shall have been given under this subsection shall, on the expiration of such notice, cease to be legal tender.

(3) Nothing in this section shall be construed as precluding the Bank from making payment for any notes or coins called in accordance with subsection (2) which are delivered to the Bank after they have ceased to be legal tender.

29.-(1) No person shall be entitled to recover from the Bank the value of any lost, stolen or imperfect bank note or coins, or of any bank note that has been mutilated, or any coin that has been tampered with. Lost and damaged currency

(2) The circumstances in which and the conditions and limitations upon which, the value of any lost, stolen or imperfect notes or coins, mutilated notes or coins which have been tampered with may be refunded as of grace by the Bank shall be within the absolute discretion of the Bank.

30. For the purposes of this Act, a coin shall be deemed to have been tampered with if the coin has been impaired, diminished or lightened otherwise than by fair wear and tear, or has been defaced by stamping, engraving or piercing whether or not it has been thereby diminished or lightened. Tampering with coinage

31. The Bank may melt down, break up or deface any coin which has been called in or tampered with and may deface or destroy any bank note which has been called in or mutilated. Destruction of coins and notes

*(b) Contracts, transactions, etc., to be in currency*

32. Every contract, sale, payment, bill, note, instrument and security for money, and every transaction, dealing, matter and thing whatsoever relating to money, or involving the payment of, or the liability Construction of references to East Africancurrency

to pay, any money, shall, in the absence of express provision to the contrary, be made, executed, entered into, done and had according to the shilling.

(c) *Temporary and transitional provisions relating to currency*

Notes and coin issued by East African Currency Board to remain currency temporarily  
T. Caps. 175 and 177  
Z. Cap. 138

33.-(1) Notwithstanding the foregoing provisions of this Part or the provisions of section 35, every currency note and coin which is, immediately before the commencement of this Part, legal tender by reason of the provision of the Currency Notes Ordinance or the Metallic Coin Currency Decree of Zanzibar shall, subject to the respective provisions of those Ordinances and that Decree, remain legal tender in Tanzania until the President, by proclamation made after consultation with the Bank, directs that such notes and coins shall cease to be legal tender.

(2) The President may exercise his powers under this section either in respect of such notes and coins, generally or in respect of any denomination or description of such notes or such coins.

Exchange of notes and coin issued by the East African Currency Board

34.-(1) So long as the currency notes and coins referred to in section 33 remain legal tender in Tanzania, the Bank shall, on demand, exchange any amount in such notes and coins free of charge for the equivalent amount in bank notes and coin issued under this Act. Thereafter, the Bank may continue to exchange amounts in such currency notes and coins free of charge for the equivalent amount in bank notes and coins issued under this Act during such period or periods as the Bank may, with the approval of the Minister, determine.

(2) Every determination under this section shall be published in the *Gazette*.

Contracts, etc., to be made in currency

(35) Every reference to the East African shilling, or the cents into which it is divided, or to the pound of twenty East African shillings, in any written law, deed, instrument, security for money or other document, or in any contract or agreement whether in writing or not, or in any other manner whatsoever, shall, in respect of any time, or any period commencing, on or after this section comes into operation, be construed as a reference to the equivalent amount of shillings, the cents into which the shilling is divided and the sum of twenty shillings multiplied by the number of pounds, respectively.

Equivalent amounts

(36) For the purpose of section 34 and 35, one East African shilling is equivalent to one shilling.



## PART IV

### OTHER OPERATIONS OF THE BANK

(a) *The Bank as banker to the Government and other public authorities*

37.-(1) The Bank shall be the banker, and shall act as the fiscal agent, of the Government.

Banker to  
the  
Government

(2) The Bank may, subject to such arrangements as may be made with the authority concerned, act as banker and fiscal agent for any public authority.

38.-(1) The Bank, in its capacity as banker and fiscal agent of the Government or of any public authority, may-

Functions as  
banker  
and fiscal  
agent

- (a) be the official depository of the Government or public authority concerned and accept deposits and effect payments for the account of the Government or public authority:

Provided that the Bank may, after consultation with the Government or the public authority concerned, select any other bank to act in its name and for its account as the official depository of the Government or the public authority in places where the Bank maintains no office or branch;

- (b) maintain and operate special official accounts in accordance with arrangements made between the Bank and the Government or public authority concerned;
- (c) act as agent of the Government for servicing the public debt, including the issuance of, payment of interest on, and the redemption of, bonds and other securities of the Government;
- (d) pay, remit, collect or accept for deposit or custody funds in Tanzania or abroad;
- (e) purchase, sell, transfer or accept for custody cheques, bills of exchange and other securities;

- (f) collect the proceeds, whether principal or interest, resulting from the sale for, or accruing to the interest of, the Government or public authority of securities or other property;
- (g) purchase, sell, transfer or accept for custody gold or foreign exchange.

(2) The Bank shall not be entitled to any remuneration for its services as banker or fiscal agent of the Government except in respect of its services as agent for the Government pursuant to paragraph (c) of subsection (1) of this section, or in respect of any transaction under section 39 or 40.

Direct  
advances  
to the  
Government

39.-(1) Subject to the provisions of this section, the Bank may make direct advances to the Government for the purposes of offsetting fluctuations between receipts from the budget revenue and payments of the Government.

(2) The total amount outstanding at any time of advances made under this section shall not exceed twenty per centum of the average annual ordinary revenues of the Government and no advances shall remain outstanding for more than three hundred days.

(3) Each advance made to the Government under this section shall bear interest at such rate, not being less than three per centum per annum, as may be agreed between the Bank and the Government.

Operations in  
Government,  
etc., securities

40.-(1) Subject to the provisions of this section, the Bank may-

- (a) purchase, hold and sell negotiable securities issued by the Government which mature not later than twelve months from the date of acquisition by the Bank.
- (b) purchase, hold and sell negotiable securities issued by the Government or with the guarantee of the Government, by a public authority which mature later than twelve months from the date of acquisition by the Bank.

(2) The total amount of securities held by the Bank at any time under subsection (1) of this section, together with the amount of securities held by the Bank as security under paragraph (b) of section 45, shall not exceed twenty-five per centum of the average annual ordinary revenues of the Government; and the total amount of the securities held by the Bank at any

time under paragraph (b) of subsection (1) of this section shall not exceed ten per centum of such average annual ordinary revenues.

Meaning of average annual ordinary revenues

41. For the purposes of section 39 and 40, the ordinary revenues of the Government include the revenues from taxes, levies, duties and fees, rents, profits and income from any investment or undertaking and any contribution to the revenue of the Government from any political subdivision of the United Republic, but do not include loans, grants, other forms of economic aid or capital raised; and the average annual ordinary revenues means the average of the annual ordinary revenues during the three financial years immediately preceding the year in which the relevant calculation is made.

42. Except as provided in section 39 and 40, the Bank shall not extend any credit directly or indirectly to the Government or any public authority.

Prohibition of other credit to Government, etc.

(b) *Financial relation with other banks*

43.-(1) The Bank may open accounts for, accept deposits from, and collect money and other monetary claims for and on account of, banks, and may generally act as banker to banks.

Banker to banks

(2) Subject to the provisions of this Act, the Bank may provide additional services to banks, including interbank clearings and the provision of safe deposit facilities.

44.(1) The Bank may purchase from, sell to and rediscount on behalf of, banks, such bills of exchange, promissory notes and other credit instruments as-

Rediscounts, etc.

(a) bear the endorsement or acceptance of a bank; and

(b) mature within one hundred and eighty days from the date of acquisition or rediscount by the Bank; and

(c) are issued and made for the purpose of financing

(i) the purchase or marketing or produce, the importation or exportation of produce and other goods, or the transportation of produce and other goods within Tanzania;

(ii) the storage of non-perishable goods and products which are duly insured or deposited under conditions assuring their preservation in authorized warehouses or in other places approved by the Bank; or

(iii) industrial or agricultural production.

(2) If the Bank is satisfied that it is in the interest of the national economy so to do, it may exercise the powers conferred by subsection (1) in respect of instruments, bearing the endorsement or acceptance of a bank and relating to industrial or agricultural production, which mature within two hundred and seventy days from the date of acquisition or rediscount by the Bank.

(3) Where the Bank takes any instrument under subsection (2) it may require the transaction to be further secured by the pledge, hypothecation or assignment of any products or crops to which the transaction or any connected transaction relates.

#### Loans

45. The Bank may grant loans or advances for fixed periods, not exceeding six months, to banks which pledge the following as security for such loans or advances:-

(a) the instruments referred to in section 44, or

(b) subject to the limitations provided for in section 40, negotiable securities issued or guaranteed by the Government.

#### Conditions for credit transactions

46. Subject to the provisions of section, 44 and 45, the Bank may determine the general terms and conditions under which it extends credit to banks. In particular, the Bank shall determine and publish the rates of interest it will charge for rediscounting instruments in accordance with section 44, and for granting loans or advances to banks in accordance with section 45.

#### (c) *Control of banking and credit*

#### Reserve requirements in respect of banks

47.-(1) Subject to the provisions of this section, the Bank may, from time to time, require banks to maintain minimum cash balance on deposit with the Bank as reserves against the deposit and other liabilities of the banks.

(2) The Bank may prescribe different ratios for different kinds of liabilities and may prescribe the methods of computing the amount of the reserves (which ratios and methods shall apply uniformly to all banks), but the total of such balances required of any bank shall not exceed twenty per centum of the bank's deposit and other liabilities.

(3) Any requirement or increase in the ratios prescribed under this section shall take effect on the expiration of thirty days notice to the banks.

(4) The Bank may impose on any bank which fails to maintain the minimum balances required under this section a penalty charge not exceeding one tenth of one per centum per day on the amount of the deficiency for every day on which the deficiency continues, and such charge may be recovered by deduction from any balance of, or moneys owing to, the bank concerned or as a civil debt.

(5) In this section, the liabilities of bank means its liabilities in Tanzania.

48.-(1) The Bank may, when it considers such action necessary, issue orders prescribing the maximum or minimum rates of interest which banks and specified financial institutions shall pay on any type of deposit and, in the transaction of their business in Tanzania, the banks and the specified financial institutions shall comply with such orders.

Regulation  
of deposit  
rate of  
banks and  
specified  
financial  
institutions

(2) Orders may be made under this section in respect of all banks and specified institutions or in respect of all banks, or all specified financial institutions, or any category of specified financial institutions, and such orders shall apply uniformly to such of the banks and specified financial institutions to which they relate as engage in the transactions covered by the orders and shall, together with their effective dates, be published in the *Gazette*.

49.-(1) The Bank may, when it considers such action necessary, issue orders to control the volume, terms and conditions of credit extended by banks and, in the transaction of their business in Tanzania, the banks shall comply with such orders.

Credit Controls  
over banks

(2) Orders under this section shall not require banks to take any step to reduce any existing credit prematurely, shall apply uniformly to

all banks engaging in the credit transactions covered by the orders and shall, together with their effective dates, be published in the *Gazette*.

Credit controls over specified financial institutions

50.-(1) The Bank may, when it consider such action necessary, issue orders to control the volume, terms and conditions of credit (including installment credit) extended through loans, advances or investment by specified financial institutions and, in the transaction of their business in Tanzania such institutions shall comply with such orders.

(2) Order under this section shall not require the institutions to take steps to reduce any existing credit prematurely, shall apply uniformly to all specified financial institutions engaging in the credit transactions covered by the orders and shall, together with their effective dates, be published in the *Gazette*.

Information to be furnished by banks and specified financial institutions

51.-(1) Every Bank and specified financial institutions shall furnish to the Bank, at such time and in such manner as may be prescribed by the Bank, such information as the Bank may require for the proper discharge of its functions and responsibilities.

(2) The Bank may publish in whole or in part, at such times as it may decide, the information furnished pursuant to subsection (1), but no information shall be published which would disclose the financial affairs of any customer of bank or financial institution unless his written consent has first been obtained by the Bank.

Default by banks and specified financial institutions

52. Where any bank fails to comply with any requirement of section 48, 49 or 51, or any specified financial institution fails to comply with any requirement of section 48, 50 or 51, the bank or, as the case may be, the financial institution, and every officer or the bank or financial institution who is in default, shall be liable to a default fine; and the provisions of section 25 of the Banking Ordinance shall apply to such bank financial institution or officer as they apply to banks and officers in default under that ordinance.

(d) *External reserves, gold and foreign exchange*

Reserve of external assets

53.-(1) The Bank shall at all times use its best endeavors to maintain a reserve of external assets at an aggregate amount of not less than the value of four months' import as averaged for the last three preceding years, subject to subsection (3) such reserve shall consist of any or all of the following-

- (a) gold;
- (b) convertible foreign exchange in the form of-
  - (i) demand or time deposits with foreign central banks or with the Bank's agents or correspondents abroad;
  - (ii) documents and instruments customarily used for the making of payments or transfers in international transaction;
  - (iii) notes or coins;
- (c) securities of, or guaranteed by, foreign governments or international financial organization or institutions.

(2) The Bank shall from time to time determine the type and form of convertible foreign exchange and the kinds of securities which may be held in the reserve external assets pursuant to subsection (1).

(3) The Bank may include in its reserve of external assets any liquid external assets not included in subsection (1), or any readily available international drawing facilities, which the Bank, after consultation with the International Monetary Fund and with approval of the Minister considers suitable for inclusion in such reserve.

(4) In this section "convertible foreign exchange" means foreign exchange which is freely negotiable and transferable in international exchange markets at exchange rate margins consistent with the Articles of Agreement, as in force from time to time, of the International Monetary Fund.

54.-(1) Subject to the provisions of this section, the Bank may-

- (a) import, export, buy, sell, hold or otherwise deal in gold;
- (b) acquire and transfer balances in foreign currencies, hold such balances with foreign central banks or with the Bank's agents or correspondents abroad, and invest such balances in marketable, foreign securities;
- (c) acquire, hold and transfer, and effect transactions of any kind in, foreign exchange.

Dealings in gold and foreign currencies

- (2) The Bank may engage in foreign exchange transactions only with-
- (a) banks;
  - (b) the Government;
  - (c) a public authority;
  - (d) foreign central banks, foreign banks or foreign financial institutions;
  - (e) foreign governments or agencies of foreign governments;
  - (f) international financial organization or institutions;
  - (g) any other person whom the Minister, on the recommendation of the Bank, may prescribe for the purposes this section.

(3) The buying and selling rates in transactions authorized by this section shall be in accordance with international agreements to which Tanzania is a party or with which Tanzania is associated.

Exchange control

55. The Bank shall exercise such function in the administration of any law relations to the control of the import, export, purchase, sale or other transaction in foreign exchange and gold as may be conferred upon it by or under such law.

Payments agreement

56. The Bank shall administer any payments agreement entered into by Tanzania.

Fiscal agent and depository for Government's transactions with international financial institutions

57.-(1) The Bank shall be the fiscal agent for all the Government's transactions with international financial organizations or institutions of which Tanzania is a member.

(2) The Bank shall act as a depository for all the Tanzania currency holdings of international financial organizations or institutions of which Tanzania is a member.

*(e) Miscellaneous powers and functions*

Relations with foreign banks

58. The Bank may open account for, accept deposits from, and collect money and other monetary claims for and on account of, foreign central banks, foreign banks and foreign financial institutions, and may generally act as banker to such banks and institutions.

Shares in corporations established for money or stock market

59. The Bank may, with approval of the Minister, promote, and describe to, hold, and sell shares in, any corporation established by, or with the approval or under the authority of, the Government for the purposes of promoting the development of a money market or securities market in



Tanzania or of improving the financial machinery for the financing of economic development in Tanzania:

Provided that the total value of the Bank's holding of any such shares shall not at any time exceed fifty per centum of the aggregate of the Banks paid up capital and of the general reserve fund of the Bank.

60. The Bank may, if in its opinion circumstances of an unusual nature render it desirable and prudent so to do, pay interest at such rates and subject to such qualifications as it may determine on minimum cash balances deposited with the Bank in accordance with section 47 or on the balances in any account with the Bank which is a blocked account within the meaning of the Exchange Control Ordinance.

Interest on minimum balances and blocked accounts  
Cap. 294

61.-(1) The Bank may advise the Government on any matter relating to its functions, powers and duties under this or any other law and shall advise the Government when, in the Bank's opinion, any such matter is likely to affect the achievement of the principal objectives of the Bank as set forth in section 5.

Advice to Government

(2) The Government may require the Bank to give its advise on any matter relating to the functions, powers and duties of the Bank and credit conditions in Tanzania or any proposals, measures or transaction relating thereto, and the Bank shall give its advice accordingly.

*(f) Prohibited operations*

62.-(1) The Bank shall not-

Prohibited operations

- (a) save as expressly authorized by this Act, engage in trade, or own or acquire any direct interest in any commercial, agricultural, industrial or similar undertaking except in the course of obtaining satisfaction for any debt due to the Bank;
- (b) purchase, acquire or lease immovable property for any purpose except as premises for the Bank (including reasonable provision for anticipated future requirements) or for the use of the members of the Board or of the staff of the Bank;
- (c) draw or accept bills payable otherwise than on demand; or

(d) save for the purposes of giving effect to subsection (2), of section 12, guarantee any loan, advance or investment.

(2) Where, in the case provided in paragraph (a) of subsection (1), the Bank acquires any interest to which that paragraph refers, the Bank shall dispose of the same at the earliest suitable opportunity.

PART V  
MISCELLANEOUS

*(a) General*

Limitation on external holdings 63. The Government shall not maintain any reserve of external assets except to the extent necessary for working balances.

64. Save with the written consent of the Minister acting on the recommendation of the Bank, no bank shall be registered hereafter under the provisions of any law in force in Tanzania by a name which includes any of the words "Central", "Government", "National", "Republic", "Republican", "Reserve", "State", "Tanzania", "Tanzanian" or "Union".

Bank, etc. deemed to be public service for certain purposes Cap. 45 65. In the discharge of its functions under this Act and in the administration of any law to which section 55 refers, the Bank, and the members of the Board and the staff of the Bank, shall be deemed, for the purposes of section 5 of the Official Secrets Ordinance, to be persons holding office in the service of the United Republic.

Permanent Commission to have jurisdiction Acts. 1965 N.43 66. In addition to any other persons in respect of whom the Permanent Commission of Enquiry has jurisdiction, the Permanent Commission shall have jurisdiction to enquire into the conduct in the exercise of their respective offices or authorities or in abuse thereof, of the members of the Board and the members of the staff of the Bank and, accordingly, the Banks specified for the purposes of subsection (4) of section 67 of the Interim Constitution of Tanzania, 1965.

*(b) Transitional*

Subscription for initial authorized capital 67. All lands, buildings and movable property (including stock of notes or coins) obtained or provided by the Government, prior to the commencement of this section, for the use of the Bank shall, on the commencement of this section, vest in the Bank without further assurance; and such lands, buildings and property, and any sum of money paid to or appropriated to the use of the Bank by the Government before the date prescribed for the purpose of section

68 (including any share of the United Republic in the assets of the East African Currency Board distributed before that date), shall be deemed to be the subscription in full in money's worth and money by the United Republic for the capital of the Bank authorized by section 14, and the United Republic shall be under no further liability in respect of subscription.

Assets of  
East African  
Currency  
Board

68.-(1) All the share of the United Republic in the assets of the East African Currency Board which are distributable after the prescribed date shall be transferred to the Bank, and the Bank shall have the sole authority to receive such assets.

(2) In this section, "the prescribed date" means the date as determined by the Minister on which the distribution of the assets of the East African Currency Board (other than any preliminary distribution made for the purposes of enabling the Bank to undertake any activities necessary before it commences business) is commenced.

69. Any securities issued by the United Republic or Zanzibar which are received by the Bank as part of the United Republic's share of the assets of the East African Currency Board shall not be deemed to be securities issued or guaranteed by the Government, and shall not be taken into account in computing the amount of credit extended to the Government and public authorities, for the purposes of section 39 or 40.

Exclusion of  
certain assets  
from limits on  
Credit

70. Any reserve of external assets in excess of working balances held by the Government on the commencement of this section shall be transferred to the Bank as it shall request, and upon the transfer of such assets the Bank shall credit the account of the Government with the value thereof.

Transfer of  
excess external  
reserves  
of Government

71.-(1) Any time after the commencement of section 4 the Bank may make such arrangements as it considers necessary for the printing of notes and the minting of coins for the purpose of this Act.

Preliminary  
acts and  
expenses

(2) Upon the commencement of section 4, any act done, and preliminary expenses incurred, by the Government in connection with the formation of the Bank, including the printing of notes and minting of coins to be issued by the Bank, shall as the Minister may direct, have the same effect and validity as if such act had been validly done and such expenses validly incurred by the Bank; and the Bank may continue any act so commenced but remaining unfinished at the date of commencement of section 4 as if such act had been initiated by the Bank.

(c) *Amendment and repeal of Law*

Amend-  
ment

72. The provisions of the written laws set out in the first, second and third columns of the Schedule hereto are hereby amended in the manner set out opposite thereto in the fourth column of the Schedule.

Repeal

73. Subject to sections 33 to 36 (inclusive), the Currency Notes Ordinance, the Metallic Currency Ordinance and the Currency Decree of Zanzibar are hereby repealed.

THE SCHEDULE

(Section 72)

AMENDMENT OF LAWS

(a) *Laws of Tanzania and Tanganyika*

1.	2.	3.	4.
(1) Cap. 16	The Penal Code	Chapter XXXIII	Add, the immediately below section 332, the following new section:-  "Defacing bank notes  332A. Any person who, without authority, wilfully defaces tear cuts or otherwise mutilates any bank note or currency note which is legal tender, is guilty of an offence and is liable on conviction to a fine of one hundred shillings in respect of each note"
		Section 341	Insert, immediatly before the words "bank note" in the fifth line of para graph (c), the word "currency note or".
	Chapter XXXV		Add, immediately below section 352, the following new section:-  "wrongful is issue notes  3352A. Any person who issues or or a party to issuing-  (a) any note purporting to be a currency note of Tanzania; or

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(b) any bank note purporting to be currency in Tanzania, otherwise than in accordance with the provisions of the Bank of Tanzania Act, 1965, shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding five years."

Section 353

Insert, in the definition "coin" immediately after the word "state" the comma and words", and coin which was at any time legal tender in Tanzania or in any other country and which is convertible into coin of legal tender therein".

Section 358

Delete the word "the Accountant-General" wherever they occur and substitute thereof, in the fourth line and the sixth and seventh lines, the words "an officer of the Bank of Tanzania appointed by the Bank for the purpose" and, in the tenth line, the words "the Bank of Tanzania".

Cap. 294 The  
exchange  
Control  
Ordinance

Part V

"Bank of  
Tanzania

Add, immediately below section 37, the following new section:-

37A.-(1) The Minister for the time being responsible for financial matters may, by order published in the Gazette, transfer or delegate to the Bank of Tanzania all or any of the Functions, powers and duties of the Treasury under this Ordinance, including any power to make orders; and, where any specific function, power or duty is so transferred or delegated, the Bank shall have the like incidental and supplementary powers in relation thereto as are vested in the Treasury by this Ordinance.

(2) The exercise of any function or power, and the performance, of any duty, under this Ordinance by the Bank of Tanzania,

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		3.		
			4.	pursuant to any transfer or delegation under this section, shall be subject to such conditions, limitations and qualifications as may be specified by the Minister by order or by directions to the Bank in writing.
(3) Cap. 430	The Banking Ordinance	Part I "Application"		Add immediately below section 1, the following new section:- 1A. This Ordinance shall extend to Zanzibar as well as to Tanganyika".
		Section 2		(1) Delete the definitions "company" "cooperative society", "East Africa", East African Governments" and "registrar" and substitute therefor the following new definitions:-
		T. Cap. 212		"company" means a company as so defined in section 2 of the Companies Ordinance, a company as so defined in section 2 of the
		Z. Cap. 153		Companies Decree of Zanzibar, and includes a company incorporated outside Tanzania to which Part XII of that Ordinance or Part IX of that Decree apply;
		Z.Cap. 211		'co-operative society' means a co-operative society registered under the Co-operative society
		Z.Cap.154		Ordinance or the Co-operative societies Decree of Zanzibar;
				'East Africa" means Tanzania, Kenya and Uganda and the 'East African Governments' means the Governments of those countries and includes the Executive for Zanzibar;
				"registrar" means such person as the Minister may appoint to be the registrar for the purposes of this Ordinance,".
				(2) Insert, in the second line of the definition "private company" immediately after the words "Companies Ordinance", the comma and words, "the Companies Decree of Zanzibar".
	Part I			Add, immediately below section 2, the following new section:-
		"Transitional		2A.-(1) Where, immediately before

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4.

provisions relating to extension of Ordinance to Zanzibar

the commencement of this section, any company or cooperative society is carrying on banking business in Zanzibar, the proviso to subsection (1) of section 4, subsection (1) of section 6, and subsection (2) of section 7 shall apply to such company or cooperative society as if there were substituted for references to the date of the commencement of the Ordinance, references to the date of the commencement of this section.

(2) For the avoidance of doubt it is hereby declared that any licence issued to a bank prior to, and in force immediately, before, the commencement of this section shall have effect throughout Tanzania."

Section 7 (2)

Insert, immediately after the words "the registrar' may" in the second line, the commas and words, after consulting the Bank of Tanzania,".

Section 9 (1)

Insert, immediately after the words "the registrar' may" in the First line, the commas and words, after consulting the Bank of Tanzania,".

Section 9 (4)

Insert, immediately after the words "the registrar' may" in the fifth line, the commas and words, after consulting the Bank of Tanzania,".

Section 24

Insert, immediately after the words "Coperative Societies Ordinance" in the second line, the words "or the Companies Decree or the Cooperative Societies Decree of Zanzibar".

Section 31

Substitute a semi-colon and the word "or" for the full stop at the end of section 31, and add the following new paragraph:-

"(d) to the Government Savings Bank constituted under the Government Saving Bank Decree of Zanzibar,".

Z. Cap. 67

(b) *Laws of Zanzibar*

(1) Cp.13 The Penal Decree

Part XXXIII

Add, immediately below section 305, the following new section:-

" Defacing bank notest

305A.-(1) Any person who, without authority wilfully, defaces tears, cuts orcuts or otherwise mutilates any bank note or currency note which is legal tender, is guilty of an offence and is

liable  
shillings

on conviction to a fine of one hundred  
in respect of each note.”.

Section 311

Insert, immediately before the words “bank note” in the fifth line of paragraph (c), the words “currency note or”.

Part XXXV

Add, immediately below section 322, the following new section:-

“Wrongful  
issue of  
notes

322A. Any person who issues or is a party to issuing-(a) any note purporting to be a currency note of Tanzania; or

(b) any bank note purporting to be currency in Tanzania, otherwise than in accordance with the provisions of the Bank of Tanzania Act, 1965, shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding five years.”.

Section 324

Delete the definition “coin” and substitute the following new definition:-

“`coin includes any coin coined in a mint for use in Tanzania, coin which is legal tender in Tanzania or in any other country, which was at any time legal tender in Tanzania or any other country which is convertible into coin of legal tender therein;”.

Part XXXVI

Add, immediately below section 328, the following new section:-

“Melting  
down of  
currency

328A. Any person who, without authority, melts down breaks up or defaces by stamping thereon any name, word or mark, any coin current for the time being in Tanzania is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding six months or to a fine not exceeding two thousand shillings or to both such imprisonment and fine.”.

Section 335

Delete the words “the Accountant-General” wherever they occur and substitute therefor, in the fourth line and the seventh line the words “an officer of the Bank of Tanzania appointed by the Bank for the



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4.

purpose"; and, in the tenth line, the words "the Bank of Tanzania".

(2) Cap. 153 The  
Decree Companies

Section  
125 (1)

Insert, immediately after the word "private company" in the first line, the brackets and words "(other than a private company which is a licenced bank)".

Seventh  
Schedule

Insert, immediately after the words "company shall not" in the first line of paragraph 23 commas and word "unless the Minister responsible for the administration of the Banking Ordinance otherwise directs,"

Eighth  
Schedule

Add, immediately below paragraph 4, the following new paragraph:-

(5) The provision of paragraph 3 (2) and 4 this Schedule shall take effect in respect of scheduled banks in such manner as shall require the auditor's report thereof to state whether or not the accounts of such banks give a true and fair view-

- (a) in the case of the balance sheet, of the state of the bank's affairs at the end of its financial year; and
- (b) in the case of the profit and loss accounts, of the profit or loss of the financial year and
- (c) in the case of group accounts, of the state of affairs and profit and loss of the bank and its subsidiaries dealt with thereby.

subject to the non. disclosure of any matters (to be indicated in the report) which by virtue of paragraph 23 of the Seventh Schedule are not required to be disclosed."

Passed in the National Assembly on the twenty-third day of December, 1965.

P. MSEKWA,  
Clerk of the National Assembly

**L.N  
40 of 1966**

**THE CUSTOMS TARIFF DECREE**

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**Value of Copra and Coconut Oil for the Purpose of Payment of Duty  
under Section 8**

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IN EXERCISE of the powers vested in him by section 10 of the Customs Tariff Decree, and otherwise, the Minister for Finance has been pleased to fix the following values for the purpose of payment of duty under the provision of section 8 of the said Decree with effect from the 1st day of January, 1967, until 31st day of March, 1967.

	Europe and Countries other than India and in E. Africa	India	E. Africa
Copra .. .. .	£49	£53	£55 per ton
Coconut oil, in new drums ..	£73	-	£82 per ton
Coconut oil, in second-hand drums .. .. .	£81	-	£90 per ton
Coconut oil, in 4-gallon tins..	£77	-	£87 per ton

The value of copra and coconut oil for the purpose of the payment of duty as notified in Legal Notice No. 27 of 1966 will remain in force until the 31st day of December, 1966.

ZANZIBAR  
22nd October, 1966

A. A. MAHMOUD,  
for Principal Secretary, Ministry  
of Finance

**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE,  
1964  
(Presidential Decree No. 8 of 1964)**

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**L.N.  
41 of 1966**

**The Confiscation of Immovable Property (No.16) Order, 1966  
(Under Section 2 (1))**

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1. This Order may be cited as the Confiscation of Immovable property (No.16) Order, 1966.

Short title.

2. All that shamba situate at Chaani Ndogo and belonging or said to belong to Paju Mtoto and bounded on the North by the shamba of Fum Khamis, on the South By a Government shamba, on the East by the shamba of Khamis Vuai and on the West by the shamba of Haji Sheru, is hereby confiscated.

Confiscation of  
Paju Mtoto's  
shamba at  
Chaani Ndogo.

By the Order of the President.

ZANZIBAR,  
27th October, 1966

H. MOYO  
*Minister of Agriculture and Land Reform*

**L.N.  
42 of 1966**

**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE  
1964**

**(Presidential Decree No. 8 of 1964)**

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**The Confiscation of Immovable Property (No. 17) Order,  
1966  
(Under Section 2 (1) )**

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Short title.

1. This Order may be cited as the Confiscation of Immovable Property (No. 16) Order, 1966.

Confiscation of a  
Shamba

2. All that shamba situate at Koani and belonging or said to belong to Said Abdulla Kiyuni and bounded on the North by the property belonging to the Wakf of Said Muhamed, on the South by the shamba of Nassor Muhamed Shaksy, on the East by the property belonging to the Wakf of Husein Said and on the West by the shamba of Hamdan bin Seleiman, is hereby confiscated

By the Order of the President.

ZANZIBAR,  
12th November, 1966

H. MOYO,  
Minister of Agriculture and Land Reform

**THE PUBLIC ENTERPRISE DECREE, 1964**

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**L.N.  
43 of 1966**

**The Motor Trade Corporation Order, 1966**

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IN EXERCISE of the powers vested in me by section 2 (1) of the Public Enterprise Decree, 1966, I hereby establish the following Public Enterprise with particulars thereof set hereunder:-

1. Name:  
The Motor Trade Corporation (Shirika la Biashara ya Gari).
2. Minister Responsible:  
Minister of Finance.
3. Objects:
  - (a) To carry on the business of garage-proprietors, general carriers, manufactures of, dealers in, hirers, cleaners, storers and warehousemen of automobiles, motor cars, motor-cycles, bicycles, carriages, and vehicles of all kinds, whether moved by mechanical power or not, and all machinery, implements, utensils, appliances, apparatus, lubricants, solutions, enamels, and all things capable of being used therewith, of in the manufacture, maintenance, and working thereof respectively, or in the construction of any track or surface adopted for the use thereof.
  - (b) To act as agents for and introduce business to fire, accident, indemnity and general insurance offices, and specially in relation to motor vehicles and motorists.
4. Head Office:  
House No. 1352, Malindi.
5. Nominal Capital:  
Shs. 300,000/-

Made at Zanzibar, this 22nd day of November, 1966.

ABEID A. KARUME,  
President.

**L.N.  
44 of 1966**

**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE,  
1964  
(Presidential Decree No. 8 of 1964)**

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**The Confiscation of Immovable Property (amendment)  
Order, 1966**

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Short title.

**1.** This Order may be cited as the Confiscation of Immovable property (Amendment) Order, 1966, and shall be read as one with the Confiscation of Immovable Property (No. 10) Order, 1966, hereinafter referred to as the principal Order.

Amendment of  
Principal Order.

**2.** The Principal Order is amended by deleting therefrom House No. 2885C situate at Kikwajuni and belonging or said to belong to Ajit Singh Hoogan.

By the Order of the President.

ZANZIBAR,  
18th November, 1966

ABOUD JUMBE,  
Minister of State

**THE REGISTRATION OF CITIZENS AND RESIDENTS  
DECREE, 1966**

—————  
**The Registration (Fee) Order, 1966**  
—————

**L.N.  
45 of 1966**

Under Section 7 (1)  
—————

1. This Order may be cited as the Registration (Fee) Order, 1966.
2. Upon registration of a citizen or resident under the Decree a fee of one shilling and fifty cents shall be payable by such citizen or resident.

Made at Zanzibar this 28th day of November, 1966.

ABOUD JUMBE,  
Minister of State,  
Office of the First Vice-President

**L.N.  
46 of 1966**

**THE CONFISCATION OF IMMOVABLE PROPERTY DECREE,  
1964**

**(Presidential Decree No. 8 of 1964)**

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**The Confiscation of Immovable Property (No. 18) Order, 1966**  
(Under Section 2 (1))

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1. This Order may be cited as the Confiscation of Immovable Property (No. 18) Order, 1966.

2. All those shambas belonging or said to belong to the persons mentioned in the First Column of the Schedule hereto and situate at the places mentioned in the Second Column and the boundaries whereof are set out in the Third Column, are hereby confiscated.

SCHEDULE

<i>First Column</i>	<i>Second Column</i>	<i>Third Column</i>
1. Lulua binti Ali bin Abdulla	.. Mgagadu Mkoani Pemba	.. North: Government property  .. South: Government property  .. East: Government property .. West: Salume binti Ali bin Abdulla
2. Salume binti Ali bin.. Abdulla	Mgagadu Mkoani Pemba	.. North: Lulua binti Ali bin Abdulla .. South: Lulua binti Ali bin Abdulla  .. East: Government property  .. West: Lulua binti Ali bin Abdulla
3. Tahirali Nurbhai	.. Mgagadu Mkoani Pemba	.. North: Heirs of Hassan Bodolbhai, Issa Muhamed Abdulla and Muhamed Mfadhil



<i>First Column</i>	<i>Second Column</i>	<i>Third Column</i>
		South: Salume binti Ali bin Abdulla and Government shamba
		East: Government property West: Heirs of Hassanali Bodolbhai
4.	Salim bin Ali .. Kipangani ..	North: Biubwa binti Ali bin Salim
		South: Fatuma binti Ali bin Salim
		East: Valley
		West: Valley
5.	Asha binti Omar Fujanguvu Taifu	North: Hamad Muhamed Abdulla South: Shekha Suleiman Nassor
		East: Shekha Suleiman Nassor
		West: Wahab
6.	Mkunga binti Ziwani Jambangome	North: River
		South: Abdulrahman Ali
		East: River
		West: Heirs of Bakar Juma and Asha Nassor
7.	Abdulla Omar Kiyatope-Jambangom3 Mkoani Pemba ..	North: Wakf of Nassor Suleiman
		South: River
		East: Heirs of Shariff Hamad

*First Column*

*Second Column*

*Third Column*

				West: River and Wakf of Nassor Suleiman
8.	Ali Suleiman	..	Mwera Misufini..	North: Wakf of Rashid Said
			..	South: Binti Abdulla
			..	East: Ali Kasabi of Kwanza
			..	West: Mwarabu wa Bara

By Order of the President.

ZANZIBAR,  
7th December, 1966  
form.

H. MOYO,  
Minister of Agriculture and Land Re-

**THE PUBLIC ENTERPRISE DECREE, 1966**

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**The State Building Corporation Order, 1966**

---

IN EXERCISE of the powers vested in me by section 2 (1) of the Public Enterprise Decree, 1966, I hereby establish the following Public Enterprise with particulars thereof set hereunder:-

1. Name:  
The State Building Corporation.
2. Minister Responsible:  
The Minister for Works, Communications and Power.
3. Objects:
  - (a) To undertake the construction of buildings either for the Government or for private individuals.
  - (b) To undertake repairs and alterations of buildings, structures either for Government or for private individuals, so far as the Enterprise thinks that such undertakings are profitable.
  - (c) To promote the building industry, to investigate and experiment ways and means which could solve the housing problem.
  - (d) To undertake experiments in the use of the local materials such as lime, timber and stone with the object of reducing the importations of building materials.
4. Head Office:  
Post office Building, Kenyatta Road, Zanzibar.
5. Norminal Capital:  
£65, 050.

Made at Zanzibar, this 23rd day of December, 1966.

ABEID A. KARUME,  
President

## **THE PUBLIC ENTERPRISE DECREE, 1966**

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**L.N.  
48 of 1966**

### **The national Transport Corporation Order, 1966**

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IN EXERCISE of the powers vested in me by section 2 (1) of the Public Enterprise Decree, 1966, I hereby establish the following Public Enterprise with particulars thereof set hereunder:-

1. Name:  
The National Transport Corporation.
2. Minister Responsible:  
The Minister for Works, Communications and Power.
3. Objects:
  - (a) To provide a network of land transport by buses in Zanzibar and Pemba.
  - (b) To improve the means of transport by introducing modern buses to replace the old ones.
  - (c) To bring the bus fares to an economic level so as to enable people to travel with ease.
  - (d) Gradually to monopolise land transport by buses.
4. Head Office:  
National Transport Corporation Headquarters, Kijangwani, Zanzibar.
5. Nominal Capital:  
£30, 000.

Made at Zanzibar, this 23rd day of December, 1966.

ABEID A. KARUME,  
President

**I N D E X**  
**of**  
**SUBSIDIARY LEGISLATION, 1966**

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