

ZANZIBAR GOVERNMENT

LEGISLATION 1973

ZANZIBAR
PRINTED BY THE PRINTING PRESS CORPORATION
1974

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I ASSENT

ABOUD JUMBE
Chairman for the Revolutionary Council

REVOLUTIONARY COUNCIL DECREE NO. 1 OF 1973

**A DECREE TO SAFEGUARD NATIONAL CULTURE AND
PROTECT IT FROM SUCH UNDESIRABLE FASHIONS IN
DRESS, HAIR STYLES, ETC. AS ARE NOT CONDUCTIVE TO
NATIONAL CULTURE AND TO PROVIDE FOR MATTERS
ANCILLARY THERETO**

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 National Culture (Protection) Decree, 1973 and shall come into force at 6a.m on the 1st day of May, 1973.

Short title and commencement.

2.(1) In this section:

Undersirable dress.

"leg-line" shall mean an imaginary line drawn horizontally around the leg each point of which is exactly mid-way between lower most part of the knee-cap and the uppermost part of the ankle;

"public place" shall include any public way and building place or conveyance to which for the time being the public are entitled or permitted to have access either without any condition or upon condition of making any payment and any building or place which is for the time being used for any public meeting or assembly or as an open court or any place which is so situated that what passes there can be seen by members of the public if they happen to look;

Provided that a baraza of any house shall not be deemed to be a public place is used by the occupant or his spouse or other members of the family between the hours of 8 p.m and sunrise.

Undesirable dress.

A. In the case of a female shall mean:-

- (a) any dress or article of clothing which when worn standing, sitting or lying down leaves any portion above the leg-line exposed;
- (b) any dress article of clothing the neck line of which is more than one inch below the base of the neck;
- (c) any dress or article of clothing which is worn in such a tight fit so as to define the contours of every part of the female anatomy.
- (d) any dress or article of clothing made of a diaphanous or other material penetrable to sight which when worn leaves any part of the body from one inch below the base of the neck to the leg-line exposed;
- (e) any wig or artificial hair.

B. In the case of a male shall mean

- (a) any pair of shorts which leave any portion of the leg more than one inch above the uppermost part of the knee-cap exposed or which are so wide as to enable the loins to be exposed;
- (b) any pair of trousers which is tight fitting or any pair of trousers or slacks which is bell bottomed or flared;
- (c) any article of clothing which is made of a diaphanous or other material penetrable to sight which when worn leaves any part of the body from one inch below the base of the neck to more than one inch above the uppermost part of the knee cap exposed;
- (d) any wig or artificial hair.

(2) It shall be an offence for any person who has attained the age of 10 years to wear in a public place and undesirable dress;

- (a) any swimming attire worn while preparing for a swim or swimming or sun-bathing;
- (b) any sport and athletic wear worn while participating in sports and athletics or preparing for participation in sports and athletics or any dress worn by a sports or athletics coach while coaching;

- (c) any costume worn in any concert, ballet, opera or any dramatic performance;
- (d) any working clothes or apparel worn by dock-workers, hamalcarters, cultivators and other manual workers the nature of whose work necessitates the use of special clothes;
- (e) any attire, dress or clothes worn by a person in accordance with whose culture and custom such attire, dress or clothes is an accepted form of wearing apparel.

And Provided further that in the case of the attire, dress or clothes mentioned in paragraphs (a), (b), (c) and (d) the wearing apparel is worn at the place of the activity concerned.

3. Any female who uses excessive make-up to a point of being an object of ridicule shall be guilty of an offence under the provisions of this Decree. Excessive make-up

4. Any male who wears his hair long so that it resembles the hair style of a woman shall be guilty of an offence except that when such hair is worn in observance of recognised religious rite to which the wearer of the hair may belong. Long hair

5. Any person who otherwise has appropriate dress or clothes but who by either lifting or lowering the dress or clothes or in any other way deliberately exposes any part of the body which is not permitted to be exposed by the provisions of this Decree, shall be guilty of an offence. Deliberate exposure.

6. A person found guilty of an offence under this Decree shall be liable on conviction to the following sentences:- Offences

- (i) For the first offence
 - (a) he may be warned; or
 - (b) he may be ordered to have his hair shaved off; or
 - (c) he may be liable to corporal punishment of four heavy strokes or four light strokes or two heavy strokes and two light strokes.

(ii) For the second offence
six months to be spent at a special rehabilitatuion centre.

(iii) For the third offence
One year to be spent at a special rehabilitation centre.

(iv) For the fourth offence
two years to be spent at a special rehabilitation centre

(v) For the the fifth offence
he shall be isolated and required to live at a rehabilitation
centre for an indefinite period.

Powers of arrest

7.(1) A person who is suspected of contravening the provisions of this Decree may be arrested by a citezen in the presence of two respectable witnesses who agree that an offence has been committed. The person arrested shall immediately be taken to the nearest police station accompanied by the two weitnesses. At the station a charge will be drawn against the suspect and if the arrest has taken place when a People's Court is sitting, the charge will be filed in the Court and the accused will be brought before the Court on the same day and prosecuted for the offence. If the arrest takes place while the Court is not sitting the witnesses will leave their address with the police station where the accused shall be detained. The accused must be brought before a Court not more than 48 hours since the time of arrest or immediately the court starts its sitting whichever is the earlier. However if, in the opinion of the officer in charge of the police station there is doubt if an offence has been committed he will arrange for a People's Court to have in urgent sitting at the police station. If the finding of the Court is that the accused person is not guilty the citizen affecting the arrest shall be detained and charged with the offence of malicious prosecution.

(2) Any person who arrests a person for any alleged offence under the provisions of this Decree and who is subsequently found to have acted maliciously or any person who under the pretext of enforcing the provisions of this Decree molests any person shall be guilty of an offence and shall on conviction be liable to the same sentence as the Court would have passed if the arrested person were found guilty.

Wearing of
covering apparel

8. For the avoidance of doubt it is specifically provided that persons shall not be guilty of committing an offence under this Decree if they wear a buibui, khanga, shuka or other covering material over an wear undersirable dress if such buibui, khanga, shuka or other covering material at all times prevents exposure of any part of the body not permitted to be exposed by the provisions of this Decree.

No appeal from
court judgment

9. No appeal shall lie from the judgment of any People's Court in respect of any sentence passed for any offence under this Decree.

Made at Zanzibar this 18th day of April, 1973.

SULEIMAN A. MNOGA
Secretary to the Revolutionary Council

I ASSENT

ABOUD JUMBE
Chairman for the Revolutionary Council

PRESIDENTIAL DECREE NO. 2 OF 1973

**A DECREE TO AMEND THE AFRO-SHIRAZI PARTY DECREE,
1965**

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

1. This Decree may be cited as the Afro-Shirazi Party (Amendment) Decree, 1973 and shall be read as one with the Afro-Shirazi Party Decree, 1965 (hereinafter referred to as the Principal Decree).

Short title, Decree No. 12 of 1972.

Sub-section 2 of Section 3(b) of the Principal Decree is hereby repealed and replaced by the following new sub-section 2:-

"(2) The Chairman of the Regional Committee shall be appointed by the Chairman of the Revolutionary Council in consultation with the Political Committee and after obtaining the approval of the National Executive of the Party."

Replacement of sub-section 2 of Section 3(b).

Sub-section 2 of Section 3(c) of the Principal Decree is hereby repealed and replaced by the following new sub-section 2:-

"(2) The Chairman of the Area Committee shall be appointed by the Chairman of the Revolutionary Council in consultation with the Political Committee and after obtaining the approval of the National Executive of the Party."

Replacement of sub-section 2 of Section 3(c).

Made at Zanzibar this 18th day of April, 1973.

SULEIMAN A MNOGA
Secretary to the Revolutionary Council

I ASSENT

**ABOUD JUMBE
Chairman for the Revolutionary Council**

PRESIDENTIAL DECREE NO. 3 OF 1973

**A DECREE TO PROVIDE FOR THE CONTROL OF LOCAL
FISHING AND OTHER MATTERS ANCILLARY THERETO**

IN EXERCISE of the powers conferred by the Legislative Powers Law, 1964 the Chairman of the Revolutionary Council 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 Local Fishing Decree, 1973.
- Intepretation. 2. In this Decree:-
 "authorised officer" means an officer to be appointed by the Chairman;
 "Chairman" means the Chairman for Information, Broadcasting, Tourism and Natural Resources.
- Fishing stations. 3.(1) The Chairman may by order establish fishing stations throughout Zanzibar.

 (2) Each station shall be in the charge of an authorised officer to be appointed by the Chairman.
- Registration. 4.(1) Every local vessel used for fishing shall be registered at the station from where the vesses sets out to fish.

 (2) An Authorised officer of every station shall maintain a Register of all the fishing vessels fishing from the stations.
- Licence. 5.(1) Every owner of a fishing vessel shall after registering the vessel at a station obtain a licence.

 (2) The application for a licence shall be in the form set out in the First Schedule and the licence shall be in the form set out in the Second Schedule.

 (3) A fee in respect of the licence will be determined by the Chairman.

(4) The Captain of every fishing vessel shall at all times when he is at sea carry the licence in respect of the vessel with him.

6. No fishing vessel shall be permitted to carry any passengers or persons other than those shown on the licence in respect of the vessel. Passengers

7. It shall be the duty of every fisherman while at sea to render help to any other fisherman while in distress and failure to render any reasonable assistance shall constitute an offence. Assistance in distress

8. It shall be unlawful for any fisherman to sell any fish outside Zanzibar without the permission of the authorised officer and to sell his fish to a retail trader or a broker except at stations established by the Government. A fisherman cannot be a retail trader. Sale of fish

9.(1) Any person who contravenes the provisions of this Decree shall be guilty of an offence. Offences

(2) A person guilty of an offence under this Decree shall be liable on conviction to:-

- (a) a fine of not less than five hundred shillings for the first offence;
- (b) forfeiture of his licence and of all his fishing apparatus and equipment for the second offence;
- (c) serve at an Educational Centre for a period of six months for the third offence.

10.(1) The Chairman may make rules to be published in the Gazettee providing for:- Rules

- (a) detailed rules which fisherman will have to comply with;
- (b) the prices at which fish will have to be sold;
- (c) the conditions under which fish will be sold;
- (d) the brokers will be special people appointed by the Government who will be neither fishermen nor retail traders.

(2) The rules may make provision for penalties for contravening any provisions thereof.

Made at Zanzibar this 10th day of August, 1973.

SULEIMAN A. MNOGA
Secretary to the Revolutionary Council

**FIRST SCHEDULE
APPLICATION FOR A LICENCE**

(Three photographs should accompany this application)

1. Name of the vessel
2. Number of the vessel
3. Type of the vessel
4. Name of the owner of the vessel
5. Name of the Captain
6. Date of Birth Age
7. Locality House No.....
8. A.S.P Branch
9. Chairman of the Branch
10. Number of Citizenship/Resident Card
11. Number of Afro-Shirazi Party Card
12. Type of fishing
13. Area of fishing
14. Names of the crew:
(a)
(b)
(c)
(d)
(e)
(f)
(g)
(h)
15. This application is approved/not approved.
16. I, agree to abide by the conditions mentioned above.

Signature of the applicant:
Licensing Officer:.....
Date 19.....

**SECOND SCHEDULE
LICENCE**

1. Name
2. Date and Place of Birth.....
.....
3. Issued by
4. Place Date 19.....
5. Date of Expiry
6. Number of the Licence
7. Number of the vessel
8. Name of the vessel
9. Station of the vessel
10. Names of the crew
- (a)
- (b)
- (c)
- (d)
- (e)
- (f)
- (g)
- (h)
11. The port used by the vessel
12. Branch Locality
- Fees: Shs..... Cts.....



Issued by:.....
(Signature)

N.B. The Captain of the vessel must report to the Authorised Officer before sailing and obtain permission to sail, time of departure and return.

L.N. 1 of 1973

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

Presidential Decree No. 8 of 1964

The Confiscation of Immovable Property (No.1) Order, 1973
Under Section 2(1)

Short title

1. This Order may be cited as the Confiscation of Immovable Property (No.1) Order, 1973.

Confiscation of
house at
Kwahani.

2. All that house No. 26/9 situate at Kwahani and belonging to or said to belong to Abass Nizamdden, is hereby confiscated.

By the Order of the Chairman of the Revolutionary Council.

(ALI MUHSIN ALI)

Chairman for Works, Communications and Power

ZANZIBAR.

20th January, 1973.

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

L.N. 2 of 1973

Presidential Decree No. 8 of 1964

**The Confiscation of Immovable Property (No.2) Order,
1973**
(Under Section 2(1))

1. This Order may be cited as the Confiscation of Immovable Property (No.2) Order, 1973.

Short title

2. All that house No. 4/15 situate at Gulioni and belonging to or said to belong to Mr. Hirji Jivan Kanji, is hereby confiscated.

Confiscation of house at Gulioni.

By the Order of the Chairman of the Revolutionary Council.

(ALI MUHSIN ALI)

Chairman for Works, Commucations and Power

ZANZIBAR.

1^{3th} February, 1973.

L.N. 3 of 1973

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

The Confiscation of Immovable Property (No.3) Order, 1973
(Under Section 2 (1))

Short title

1. This Order may be cited as the Confiscation of Immovable Property (No.3) Order, 1973.

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 to 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
2416	..	Bwana Abass Mohamed	
2443		Karmali	Kajificheni
969	..	Bwana Mohamed Remtulla	
		Marali	Malindi
1786A	..	Bwana Shariff Danji & Sons	Mkunazini
2640	..	Bwana Mohamed Abdulla	
		Baafiouf	Mbuyuni
114	..	Bibi Asha Said Jabadhria	
		Deraj	Shangani
1608/9A	..	Bibi Nurbhai Esmail Sabjaly	
		Deraj	M/Wima
691	..	Bwana Mohamedali Sivjee	
		Deraj	Malindi

By the Order of the Chairman of the Revolutionary Council.

(ALI MUHSIN ALI)

Chairman for Works, Communications and Power

ZANZIBAR.

13th February, 1973.

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

L.N. 4 of 1973

**The Confiscation of Immovable Property (No.4) Order,
1973
(Under Section 2 (1))**

1. This Order may be cited as the Confiscation of Immovable Property (No.4) Order, 1973.

Short title

2. All those houses bearing assessment numbers mentioned in the First Column of the Schedule hereto and belonging to 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

First Column			Second Column		Third Column
19/196	..	..	Mrs. Grace Ruth	..	Kikwajuni
2210	..	..	Bwana Hirji Kala Lakha		Vuga

By the Order of the Chairman of the Revolutionary Council.

(ALI MUHSIN ALI)

Chairman for Works, Communications and Power

ZANZIBAR.

15th February, 1973.

L.N. 5 of 1973

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

The Confiscation of Immovable Property (No.5) Order, 1973
(Under Section 2 (1))

- Short title 1. This Order may be cited as the Confiscation of Immovable Property (No.5) Order, 1973.
- 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 to 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
1508/10	..	..	Sonbai Sundrji	Kiponda
22/472	..	..	Bw. Hassan Suleiman Khamis	Miembeni (Mji Mpya)
130/131	..	..	Pragji Monji	Forodhani

By the Order of the Chairman of the Revolutionary Council.

(ALI MUHSIN ALI)

Chairman for Works, Communications and Power

ZANZIBAR.

27th February, 1973.

*Legal Supplement (Part II) to the Tanzania - Zanzibar Gazette
Vol. LXXXII, No. 4866 of 7th April, 1973*

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

L.N. 6 of 1973

The Confiscation of Immovable Property (No.6) Order, 1973
(Under Section 2 (1))

1. This Order may be cited as the Confiscation of Immovable Short title
Property (No.6) Order, 1973.

2. All those houses No. 3000 situate at Saateni and belonging to or said to belong to Hamed Saleh Hamed El-Busaidy, is hereby confiscated. Confiscation of house at Saateni.

By the Order of the Chairman of the Revolutionary Council.

(ALI MUHSIN ALI)
Chairman for Works, Communications and Power

ZANZIBAR.
25th March, 1973.

L.N. 7 of 1973

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

**The Confiscation of Immovable Property (No.7) Order, 1973
(Under Section 2 (1))**

Short title

1. This Order may be cited as the Confiscation of Immovable Property (No.7) Order, 1973.

Confiscation of house at Mtakuja.

2. All those houses No. 33/169 situate at Mtakuja and belonging to or said to belong to Salim Seif Salim, is hereby confiscated.

By the Order of the Chairman of the Revolutionary Council.

(ALI MUHSIN ALI)

**Chairman for Works, Communications and Power
ZANZIBAR.**

17th April, 1973.

L.N. 8 of 1973

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

**The Confiscation of Immovable Property (No.8) Order, 1973
(Under Section 2 (1))**

Short title

1. This Order may be cited as the Confiscation of Immovable Property (No.8) Order, 1973.

Confiscation of house at Malindi.

2. All those houses No. 39/5079 situate at Malindi and belonging to or said to belong to Lamu Fisheries & Company, is hereby confiscated.

By the Order of the Chairman of the Revolutionary Council.

(PILI KHAMIS)

**Chairman for Information, Tourism and Natural Resources
ZANZIBAR.**

19th April, 1973.

*Legal Supplement (Part II) to the Tanzania - Zanzibar Gazette
Vol. LXXXII, No. 4881 of 21st July, 1973*

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

L.N. 9 of 1973

The Confiscation of Immovable Property (No.9) Order, 1973
(Under Section 2 (1))

1. This Order may be cited as the Confiscation of Immovable Property (No.9) Order, 1973. Short title

2. All those houses No. 3435 situate at Saateni and belonging to or said to belong to Moh'd Abdo, is hereby confiscated. Confiscation of house at Saateni.

By the Order of the Chairman of the Revolutionary Council.

(ALI MUHSIN ALI)

**Chairman for Works, Communications and Power
ZANZIBAR.**
12th July, 1973.

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

L.N. 10 of 1973

**The Confiscation of Immovable Property (No.10) Order,
1973**
(Under Section 2 (1))

1. This Order may be cited as the Confiscation of Immovable Property (No.10) Order, 1973. Short title

2. All those houses No. 9/20 situate at Mtendeni and belonging to or said to belong to Ahmed Said (Shilling), is hereby confiscated. Confiscation of house at Mtendeni.

By the Order of the Chairman of the Revolutionary Council.

(ALI MUHSIN ALI)

**Chairman for Works, Communications and Power
ZANZIBAR.**
12th July, 1973.

L.N. 11 of 1973

**PEOPLE'S COURTS DECREE, 1969
APPOINTMENT OF MEMBER**

IN EXERCISE of the powers vested in him by section 3(1) of the People's Court Decree, the Honourable Chairman of the Revolutionary Council has been pleased to appoint Mr. Ali Hassan Ali to be a member of the People's Court of Wete, Pemba with effect from 10th September, 1973.

(H. N. MOYO)

Chairman for State Affairs and Worker's Rights

ZANZIBAR.

28th September, 1973.

L.N. 12 of 1973

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

**The Confiscation of Immovable Property (Revocation)
(No.1) Order, 1973**

Short title

1. This Order may be cited as the Confiscation of Immovable Property (Revocation) (No.1) Order, 1973.

Revocation

2. The Order in respect of Houses No. 534 and 539A situate at Baghani and said to belong to Heirs of Masoud Ali Riyami and which were confiscated by the Confiscation of Immovable Property (No. 10), Order, 1971, is hereby revoked.

By the Order of the Chairman of the Revolutionary Council.

(ALI MUHSIN ALI)

Chairman for Works, Communications and Power

ZANZIBAR.

8th November, 1973.

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