

**ZANZIBAR GOVERNMENT**

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**LEGISLATION 1979**

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**ZAZNIBAR**  
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I A SSENT,

ABOUD JUMBE,  
Chairman of the  
Revolutionary Council

**REVOLUTIONARY COUNCIL DECREE NO. 1 OF 1979**

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**A DECREE TO REPEAL AND REPLACE THE  
REVOLUTIONARY COMMITTEES  
DECREE, 1977**

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

1. This Decree may be cited as the Revolutionary Committees Decree, 1979 and shall come into operation on the 1<sup>st</sup> day of March, 1979.

Short title  
and  
commencement.

2.-(1) There is hereby established in every Region, District or Area throughout Zanzibar and Pemba Local Government organs to be known as Revolutionary Committees.

Establishment  
of Revolution-  
ary  
Committees.

(2) For purposes of this Decree-  
"Chairman" means the Chairman of the Revolutionary Council;  
"Government" means the Revolutionary Government and includes a Public Enterprise;  
"Region" or "District" means an administrative area established under the party and Administrative Decree, 1965;  
"Area" means an administrative area in a district comprised of ten-cells within the limits of a party Branch.  
"Party" means the Chama cha Mapinduzi.

(3) As stipulated under section 3 of the Constitution, Chama cha Mapinduzi is the only political party and Supreme in the country. All the activities of the Revolutionary Committees as organs of the Government shall be carried out under the direction and supervision of the party.

Relationship  
between CCM  
and Revolution-  
ary Committees

Access to the Revolutionary Council.

(4) Accessibility to the Revolutionary Council shall be through its sub-Committees for Political and Financial Affairs, Economic and Development Affairs, Defence, Security, law and order, or the Principal Secretary to the Revolutionary council.

Duties

3. The "functions" of the Revolutionary Committees shall be as follows"-

- (a) to perform the role of local Governments in the respective Areas, districts and Regions;
- (b) to ensure the maintenance of public order, observance of the laws and protection of the people;
- (c) to assist in every way possible in the implementation and supervision of Development plans or other Government policy in the respective region, district or area;
- (d) to promote the advancement and implementation of the policy of socialism and the revolution in their respective region, district or area;
- (e) to involve full participation of every resident of the respective region, district or area in economic and development plans as initiated either by the government or the Committees themselves with the object of raising the standard of living of the people;
- (f) to assess the material and other needs of the residents of the respective region, district or area and to ensure that such needs are satisfied either by the appropriate Government organ or on the basis of self-reliance;
- (g) to make recommendation or suggestion as regard the implementation of government policies of development plans in the respective region, district or area through the relevant Ministry, department, Public Enterprise or the public officials represented in the Committee;
- (h) in the course of its duties, a revolutionary Committee or Sub-Committee may where necessary summon to attend

its meeting any public officer concerned in order to obtain from him advice. assistance or clarification on any matter relating to his duties in the area, district or region, such shall be done through the appropriate channels of the Ministries, Departments or Public enterprises.

4.-(1) The Revolutionary Committee for an Area shall consist of-

(a) twenty members elected from the cells in the Area:

Provided that no one ten-cell shall be represented by more than one member and dependant upon the number of cells in the area the total number of members may be less than twenty but shall not exceed twenty even if the number of cells is greater;

(b) the Party Branch Chairman and Secretary shall by virtue of their office be the Committee's Chairman and Secretary respectively;

(c) the Accountant or Cashier elected from among the members.

Composition of Revolutionary Committees.

District Committee.

(2) The Revolutionary Committee for a District shall consist of-

(a) twenty elected members from the Areas in the District;

(b) the Area Commissioner for the District shall be the Secretary of the Committee. An accountant and a cashier shall be elected from among the members;

(c) by virtue of their offices and without a right of voting-

(i) officers in charge of the Tanzania people's Defence Forces, police, Security and KMKM in the District;

(ii) Heads of Government Department or public or Enterprises in the District;

(iii) Member of parliament elected for the District or nominated and residing in the District or nominated by the Revolutionary Council outside the members of the Revolutionary Council;

(d) the party's District Chairman for the District shall by virtue of his office be the Chairman of the District Revolutionary

Regional  
Committees

Committee.

- (3) The Revolutionary Committee for a Region shall consist of-
- (a) twenty elected members from the District of the Region;
  - (b) the Regional Commissioner for the Region shall be the Secretary of the Committee. An accountant and a cashier shall be elected from among the members;
  - (c) by virtue of their office and without a right of voting-
    - (i) officers in charge of the Tanzania people's Defence Forces, police, Security and KMKM in the Region;
    - (ii) Heads of Government Department or public enterprises in the Region;
    - (iii) National members of Parliament elected by Parliament from the Regions where they reside or nominated by the Revolutionary Council from among its members;
  - (d) the party's Regional Chairman for the Region shall by virtue of his office be the Chairman of the Regional Revolutionary Committee.

Sub-  
Committees  
for Region,  
District and  
Area.

- (4) Every Revolutionary Committee for an Area, District or Region shall have sub-Committees for-
- (a) Political and financial Affairs which shall be responsible for-
    - (i) the supervision of all political and financial affairs in the Region, District or Area in order to ensure conformity with the party and Government policies on income and expenditure;
    - (ii) ensuring full participation and discharge of lawful duties by every person;
    - (iii) protection of the rights and dignity of the people;
    - (iv) to deal with any other matter as may be necessary for the advancement of the economic development in such a manner as may be appropriate.
  - (b) Economic and Development Affairs which shall be responsible for-



- (i) economic and development plans or programmes in the Region, District or Area;
  - (ii) assisting the Ministries, Departments or public enterprises concerned in the supervision and control of Government or co-operative shops;
  - (iii) in conjunction with the respective Ministries or institutions, to assist in the supervision of agricultural or industrial projects geared at efficiency, increased productivity and proper utilization of man-power, machinery and raw material;
  - (iv) assisting the promotion of educational cultural and social development in their respective areas of jurisdiction;
  - (v) dealing with any other matter as may be necessary for the advancement of the economic development in such a manner as may be appropriate;
- (c) Defence, Security, Law and order which shall be responsible for-
- (i) the observance of law and order;
  - (ii) ensuring the protection of the right and dignity of the people and their properties;
  - (iii) assisting the authorities concerned with the law enforcement and involving the people to participate in the prevention and elimination of crimes and to be law abiding;
  - (iv) dealing with any other matter as may be necessary for the advancement of the economic development in such a manner as may be appropriate.

5. The funds necessary for the execution of the functions of the Revolutionary Committees for the Area, District or Region may be Derived from-

Source of Revenue.

- (a) Government funds as from time to time may be allocated; or  
(b) Other sources as may be directed by the Chairman of the Revolutionary Council under regulations.
- Rules and Regulations.
6. For the effective and better running of the Committees, the Chairman of the Revolutionary Council may make Rules or Regulations governing-
- (a) conditions, qualification and procedure for membership, rights and duties;  
(b) meetings;  
(c) revenue;  
(d) any other related matters.
- Penalty for obstructing a member of Committee.
7. Any person who interferes with, resists or obstructs any member of the Revolutionary Committee while executing his duties or in any way threatens or induces or destructs such a member of the Committee from discharging his duties as authorized under his Decree, shall be guilty of an offence and be liable on conviction to be committed to an Educational Center for a period of not less than five years. Similarly, any other person who aids and abets or is in any way accessory to the commission of this offence, shall be guilty of the offence and be liable on conviction to be committed to an Educational Center for the same period.
- Ministerial Committees.
- 8.- (1) In every Ministry there shall be a Ministerial Revolutionary Committee consisting of-
- (a) the minister as Chairman  
(b) the Deputy Minister/s;  
(c) the Assistant Minister as Secretary  
(d) the Head of every Department or public Enterprise in the Ministry or his representative;  
(e) the principal Accountant;  
(f) one representative form the party Branch or any of its affiliated bodies.
- Ministerial Committee for Pemba
- (2) For the Ministeries having a deputy Minister based in Pemba, a sub-Ministerial Committee may be established in Pemba consisting of-

- (a) the Deputy Minister as Chairman;
- (b) Assistant Principal Secretary;
- (c) The Head of Department;
- (d) Accountant;
- (e) One representative from the party Branch or any of its affiliated bodies.

(3) The Ministerial Revolutionary Committee shall be responsible for-

Functions.

- (a) examining the budget and studying or adopting the development plans and the working programmes submitted by all Departments and public enterprises including sections of the Departments under the Ministry;
- (b) planning the ministerial development plans, the working programmes and the budget;
- (c) directing and supervising Government programmes and ensuring their implementation at every stage.
- (d) ensuring that the duties and work of the Ministry are managed at an efficient level and in accordance with the programme and the set targets advising on disciplinary and other welfare matters of employees;
- (e) ensuring that there is a proper and rational utilization of man-power, machinery and materials;
- (f) organizing regular training programmes for all the workers;
- (g) generally advising on the proper implementation of the development plan policy and co-operation among the ministries;
- (h) work in close co-operation with the Planning Commission through its Executive Committee in the office of the Chairman and its representative in the Ministries.

9.-(1) In every Department of Public Enterprise there shall be a Departmental Revolutionary Committee consisting of-

Departmental Committees.

- (a) the Head of the Department or Public Enterprise as Chairman;
- (b) one representative from the party Branch or any of its affiliated bodies in the department or Public Enterprise;
- (c) the Departmental Accountant;
- (d) all Platoon Commanders.

(2) The Departmental Revolutionary Committees shall have similar duties in relation to the Department or Public Enterprise as those stipulated under section 8 (3) of this Decree in regard to the Ministerial Committees.

Workers  
Units.

10. All Workers in the service of the Government shall be divided into the following units:-

- (a) Section;
- (b) Platoon.

Section Leader.

11. In every Department and Public Enterprise workers who are engaged in the same or similar type of work shall be formed into a unit of between eight and twelve workers to be known as a Section whose leader shall be chosen by the Head of Department or Public Enterprise in consultation with the Departmental Revolutionary Committee on the basis of skill, revolutionary spirit, commitment, ability to lead and consciousness in the performance of duty. The leader as a commander of a section shall be assisted by two members from the section to form the Section Committee.

Platoon.

12. A Platoon shall consist of three to four section of workers who perform the same or allied type of duties. The sections forming the Platoon shall be under the leadership of a Platoon Commander chosen by the Head of Department in conjunction with Departmental Revolutionary Committee from the section forming a platoon on similar basis as the leader of a section but at a higher level.

Duties of De-  
partmental  
Sections and  
Platoons.

13. It shall be the duty of every Departmental Section or Platoon Commanders to ensure-

- (a) that discipline is observed;
- (b) work is done efficiently, orderly with punctual and regular attendance and workers duties and obligation are properly carried out;
- (c) the existence of a healthy atmosphere among the workers so as to ensure the necessary co-operation between fellow workers;

- (d) the problems and the welfare or rights of the workers in the respective Section or Platoons are strictly looked after;
- (e) assistance for the proper implementation of any duties assigned by the Head of Department or the Departmental Revolutionary Committee is rendered.

14. The Revolutionary Committees Decree,1977 and the Council for the Perpetuation of the Revolution Decree,1972 are hereby repealed. The revolutionary Committees established under any of these Decrees are hereby dissolved.

Repeal of  
Decree No. 1 of  
1977 and  
Decree No. 6 of  
1972.

Made at Zanzibar this 29<sup>th</sup> day of January,1979.

**ALI SALIM AHMED,  
Secretary to the Revolutionary  
Council**

I ASSENT,

ABOUD JUMBE,

Chairman of the  
Revolutionary Council

**REVOLUTIONARY COUNCIL DECREE NO. 2 OF 1979**

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**A DECREE TO REPEAL AND REPLACE THE PRICE  
CONTROL DECREE 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 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 Regulation of Prices Decree, 1979 and shall come into operation on the 1<sup>st</sup> day of September, 1978.

Interpretation.            2. In this Decree, unless the context otherwise requires-

“Chairman” means the Chairman of the Revolutionary Council;

“Maximum price” means the maximum lawful price at which goods may be sold in retail, wholesale or otherwise as the case may be in accordance with the provision of this Decree;

“Minister” means the Minister for the time being responsible for trade;

“price controlled goods” means the goods the maximum price for which has been fixed in terms of this Decree;

“the price Commission” means the Price Commission established under section 3 of this Decree;

“the price Control Committees” means the Committees established under section 18 of this Decree;

“selling price” means the actual net price charged to the purchaser.

3. There is hereby established a Price Commission which shall consist of:

Establishment of Price Commission.

- (a) a Chairman to be appointed by the Chairman of the Revolutionary Council.
- (b) not less than four and not more than twelve members appointed by the Minister from the general public and one representative from each of the Ministries of Finance, Agriculture, Industries and Natural Resources;
- (c) a Secretary to be appointed by the Minister from among the members.

4. The functions of the Price Commission shall be-

Functions of The Price Commission.

(a) to determine and review reasonable price structure and to provide for their orderly variation when necessary by fixing maximum prices for the sale of any good;

- (i) by any person to another;
- (ii) by manufacturer or importer to a wholesaler or sub-wholesaler or retailer or a consumer;

(b) to ensure that the consumers are protected that the prices determined are compatible with the national policy against exploitation;

(c) where in the opinion of the Minister it is the public interest that prices of any goods be controlled or that the price of any good so controlled be reviewed, he may direct the Commission to determine or review such prices and the Commission shall proceed to do so in accordance with the provisions of this Decree.

5. In all circumstances, the Commission shall endeavour to fix similar prices for the whole of Zanzibar and Pemba.

Uniformity of Prices.

Factors to be taken into account in determining prices.

6. In determining the price structure of any goods or class of goods the Commission shall take into account-

- (a) the nature of the goods and services essential to the Community;
- (b) the need to avoid unwarranted rapid or frequent changes in prices;
- (c) direct costs of production the general overhead expenses, the cessing industries;
- (d) appropriate margins;
- (e) direct costs of production, the general overhead expenses, the normal wear and tear of capital assets, the level of excise duty, sales tax, the c.i.f. cost of the goods, landing and handling charges, customs duty, the manufacturer's or importer's price and cost of transport;
- (f) such other factors as the Minister may from time to time issue and publish in the Gazette.

Power of the Price Commission.

7.-(1) For the effective and proper discharge of its functions under this Decree, the Commission may-

- (a) receive and review application in respect of prices from the consumers or any public authority;
- (b) receive and review application for determination or variation of maximum prices from manufactures, wholesalers, sub-wholesalers, retailers and persons who provide services;
- (c) to conduct a review of prices;
- (d) to secure access to any relevant data concerning production, importation or trade of any goods from any person or other organization.

(2) The Chairman of the Commission may, by notice in writing, require any person carrying on any business in Zanzibar to produce to him within



such time as he may specify in the notice such information as he may consider relevant for the proper determination of prices.

8.-(1) Where the Price Commission has fixed the maximum prices of any goods or class of good, a list of such good and the prices fixed thereof shall be published in the Gazette for the notice of the public.

Publication of Prices.

(2) In any prosecution for an offence under this Decree, ignorance of the contents of any such list in the Gazette shall not be a defence.

(3) From the date of the publication of the notice in the Gazette, the maximum prices of the goods shall be the prices as described in the list.

9. Any trader or other person or class of trades or persons supplying or dealing with price-controlled goods or price-controlled services shall be required to display in Kiswahili in a prominent manner and in a conspicuous position so that it may be easily read and is clearly legible to customers in those parts of their business premises, a list of the current maximum prices for such price-controlled goods or services.

Display of lists of maximum Prices of price controlled goods.

10. Every trader, manufacturer, producer or any other person supplying price-controlled goods or rendering price-controlled services shall keep such books of account or other records in respect of his dealings in price-controlled goods or services and make such entries therein as may be prescribed by regulations made under this Decree, and shall preserve such books of account or records after the date of the last entry wherein for a period of two years or such longer period as may be prescribed.

Books of Accounts.

11. The Commission may from time to time require any trader, producer or manufacturer at the time of sale to any buyer an original invoice containing the following particulars:-

Supply of invoices.

- (a) the name of the seller;
- (b) the name of the purchaser;
- (c) the date of the sale;
- (d) a description identifying the price-controlled goods involved;
- (e) the quantity of the price-controlled goods

- Sale above maximum price.
12. Any person who sells or lets on hire any price-controlled goods at a price or charge which exceeds the maximum price or maximum hire charge, shall be guilty of an offence.
- Failure to display prices.
13. Any person who fails to comply with the requirements in regard to the display of maximum price or hire charge, or the keeping of books of accounts and records of the issue and supply of invoices shall, unless otherwise exempted from compliance with such obligations be guilty of an offence.
- Obstructing authorised person.
14. Any person who-
- (a) obstructs any person duly authorized under this Decree to enter and inspect any premises or to examine any books of accounts or documents; or
  - (b) refuses or delays or fails to produce any books, accounts or other documents relating to his business when required under this Decree to produce; or
  - (c) refuses to furnish information or who knowingly or without reasonable grounds for believing the same to be true furnishes false information upon demand being made by a person authorized under this Decree; or
  - (d) in any way fails to comply with any order requirement or notice lawfully given or made under this Decree, shall be guilty of an offence.
- Refusal to sell and hoarding of goods
15. Any person carrying on a business, in the course of which any price-controlled goods are supplied, and who has in his possession a stock of such goods and who-
- (a) falsely denies that he has such goods in his possession; or
  - (b) deliberately and without good cause refuses to sell or supply such goods in reasonable quantities upon demand on payment of the requisite maximum price, shall be guilty of an offence.
- Burden of proof.
16. In any proceedings under this Decree, the burden of proving that any sale did not take place or that the price charged did not

exceed the maximum prescribed price, or that he did not hoard the goods, shall lie upon the accused.

17.-(1) Any person who is guilty of any offence under this Decree shall, upon conviction be liable to the following punishments:-

Penalty.

(a) for the first offender, his goods or merchandise involved shall be confiscated with severe warning;

18. The price Control Decree, Cap.152 is repealed

Repeal of  
Cap. 152.

19. Notwithstanding the repeal of the Control Decree, all sub-sidiary legislation made under that Decree, unless otherwise stated shall in so far as may be applicable, continue in force and have effect as subsidiary legislation made under the corresponding provisions of this Decree.

Saving and  
transitional  
provision.

Made at Zanzibar this 29<sup>th</sup> day of January, 1979.

**ALI SALUM AHMED,  
Secretary to the Revolutionary  
Council**

I ASSENT,

ABOUD JUMBE,

Chairman of the Revolutionary Council

**REVOLUTIONARY COUNCIL DECREE, NO. 3 OF 1979**

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**A DECREE TO PROVIDE PROVIDE FOR THE  
ESTABLISHMENT, REGULATION AND REGISTRATION OF  
CO-OPERATIVE SOCIETIES**

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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 Co-operative Societies Decree, 1979 and shall come into operation on such a date as the Minister may by notice published in the Gazette appoint.

Interpretation.

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

“Chairman” means the Chairman of the Revolutionary Council,

“Minister” means the Minister for the time being responsible for Trade;

“Party” means the Chama cha Mapinduzi;

“registered Society” means a Co-operative Society registered under this Decree;

“dividend” means the sum paid on the share capital invested in a society”

“area” means an area as defined under the Revolutionary Committees Decree, 1978.

3.-(1) the Chairman of the Revolutionary Council may appoint a registrar of co-operative Societies.

Appointment of Registrar and establishment of Co-operative Department.

(2) With effect from the date when this Decree takes effect, there shall be established a Co-operative Department comprising of the Registrar of Co-operative Societies and such other assistant registrars or inspectors as may be required.

Functions of Registrar.

(3) The Registrar of Co-operative Societies shall be responsible for-

- (a) the registration of all the Co-operative Societies which fulfil the requisite conditions;
- (b) the inspection or holding of an inquiry into the constitution, working and financial of any registered society;
- (c) issuing of such directives to officials of the Co-operative Societies as may be necessary for the attainment of the objectives of the Co-operative societies.

4.-(1) subject to the provisions of this decree any society which has as its objects the promotion of the economic interest of its members in accordance with the Party's principles of socialism and self reliance may on application to the registrar be registered.

Societies which may be registered.

(2) No society shall be registered unless the following conditions are fulfilled-

- (a) an unrestricted membership of at least twenty five members of the apparent age of eighteen years.
- (b) residence in the same town or area or in the same group of areas or membership of the same occupation.

5.-(1) For purposes of registration, an application to register a society shall be made to the Registrar.

Application for registration.

- 2.-(a) the application shall be signed by at least twenty five members.
- (b) the application may be accompanied by the CCM Chairman of the area or branch concerned.
- (c) the application may be accompanied by a copy of the proposed by-laws of the society or such information in regard to the society as the registrar may require.

Restriction on holding of share capital.

6. No single member of a registered society shall hold more than one fifth of the share capital of any co-operative society.

Registration.

7.-(1) On receipt of an application for registration the Registrar shall register the society if he is satisfied that-

- (a) a society has complied with the provisions of this Decree; or
- (b) the proposed by-laws are not contrary to the Rules; or
- (c) proper provision has been made for the financing of the society; or
- (d) there is no society in the same locality which is performing sub-substantially similar activities; or
- (e) the by-laws contain sufficient safeguards for the proper administration of the society, or
- (f) having regard to all the circumstances it is desirable to register the society.

(2) Any person dissatisfied with the Registrar's refusal to register a society may lodge an appeal against the decision to the Minister and thereafter to the Revolutionary Council's Financial and Political sub-committee whose decision shall be final. An appeal under this sub-section shall be lodged within sixty days from the date of the decision by the Registrar.

Evidence of registration.

8. A certificate of registration duly signed by the registrar shall be conclusive evidence that the society therein mentioned is registered unless it is proved that the registration of the society has been cancelled.

Amendment of by-laws.

9.-(1) Subject to the provisions of this Decree as well as to the approval of the Registrar, a registered society may amend its by-laws.

2. Where the Registrar is satisfied that it is necessary or desirable in the interest of a registered society or the members of the registered society or public in general that the by-laws of the registered society be amended he may by notice in writing require the registered society to amend its by-laws in such manner and within such period as may be specified in the notice.

10. No person shall be a member of more than one registered society.

Restriction on membership in Society.

11. Every member of a registered society shall have one vote only as a member in the affairs of the society and shall be entitled to attend a general meeting of the society and to record his vote in regard to any matter for decision at such meeting.

Votes of members.

12. No member of a registered society shall exercise the rights of a member unless and until the Registrar certifies that such a member fulfils the requisite conditions.

Exercise of rights of members.

13. Every registered society shall have an address, registered in accordance with the rules made under this Decree, to which all notices and communications may be sent and shall send to the Registrar notice of every change thereof.

Address of Societies.

14.-(1) The registrar shall direct an authorised officer to audit the accounts of every registered society once at least in every year.

Audit.

(2) The Committee of every registered society shall such steps as may be necessary to ensure that the accounts of the registered society are prepared and finalised for auditing as soon as it is practicable after the close of the financial year of the society by not later than four months.

(3) The Registrar or any other duly authorised officer shall at all times have access to all books, accounts, papers and securities of a society and every officer of the society shall furnish such information pertaining to the functioning of the society as may be required for inspection purposes.

(4) When the accounts of a society are being audited, the Registrar or any other person duly authorised or appointed may summon any officer, agent or member of the society who can give any relevant information with regard to the functioning of the society.

(5) The duly audited accounts of every registered society shall be submitted by a general meeting of the society.

(6) the approved audited accounts of a registered society shall be adopted by a general meeting of the society.

(15) A registered society shall be a body corporate with perpetual secession capable of holding movable and immovable property and to enter into contracts.

Registered Society to be body Corporate.

Register of members.

16.-(1) Every registered society shall maintain a register of its members in such a manner as may be prescribed and shall enter therein such particulars as may be prescribed.

(2) The register of members shall be prima facie evidence of any matter required by rules to be entered therein.

Power to exempt from registration fees.

17. In regard to registration fees, a registered society may on application to the Minister be granted exemption from paying such fees.

Management of registered society.

18.-(1) The control of the affairs of a registered society shall be vested in the general meeting summoned in accordance with the by-laws and rules of the society.

(2) Every Committee shall consist of not less than five members inclusive of the Chairman.

(3) The members of the Committee shall be elected by the general meeting of the society and shall hold office for a period of at least two years from the date of their election subject to re-election.

Power of Committee.

19.-(1) Committee shall exercise all the powers necessary to ensure the full and proper administration of the society in terms of the by-laws, rules and resolutions passed at general meetings.

(2) With the approval of the Registrar, the Committee may appoint any suitable person to administer and manage the affairs of the society as well as employing such number of persons as the Committee may think fit for the discharge of the society's functions.

(3) On the defection of the Registrar the Committee may terminate the employment of any person employed under subsection (2) if such person is not performing his function satisfactorily subject to the law or regulation governing the employment of such a person.

Dissolution of the Committee

20.-(1) The Registrar if satisfied that the Committee of any registered society is not performing its duties properly, may by order in writing suspend the Committee.

(2) With the suspension of the Society Committee, the Registrar shall at the same time direct the society to hold a general meeting



to consider the dissolution of the Committee and the election of a new Committee.

- (3) As an interim measure after the suspension or dissolution, the Registrar shall appoint one or two suitable person to assume all the functions of the Committee in managing and administering the affairs of the Committee.

Provided that the appointment made under this sub-section shall have effect for a period not exceeding one year.

21. With the exception of a saving and Credit Society no registered society shall make a loan to any person other than a member.

Restrictions on loans.

22.- (1) A. registered society shall invest its funds-

Investment of funds.

(a) in deposits and interest bearing deposits either in the People's Bank of Zanzibar or the National Bank of Commerce;

(b) in such other investment as the Minister may declare to be authorized investments for the purpose of this section.

(2) The Registrar may direct any registered society to invest its funds or any portion of its funds in any one or more of the investments authorized and the registered societies concerned shall be bound to comply with such directions.

23. The by-laws of a registered society shall provide for the raising of funds to finance its activities either by the issue of shares or by a cess or levy on agricultural or other produce or handicraft sold through the society or by a combination of any of these methods or by such other means as may be approved by the Registrar.

Raising of funds.

Provided always that such a means does not add unnecessary burden or additional costs to the consumer.

24.-(1) If any dispute in connection with business of a registered society arises among members, other persons or officers of the society be referred to the Registrar for decision.

Settlement of disputes.

(2) The Registrar may on receipt of a reference under subsection (1)-

- (a) decide the dispute himself; or
- (b) refer it to three arbitrators one each nominated by the disputing parties and another by the Minister for disposal. No appeal shall lie from the decision of the arbitrators.

25.- (1) No person other than a registered society, may trade or carry on business under any name or title of which the word "Co-operative or its equivalent in any other language is part without sanction of the Registrar.

Prohibition of the use of word "Co-operative".

(2) Any person who contravenes any of the provisions of this section shall be guilty of an offence and shall on conviction be able to a fine of three thousand shilling for each offence or to be committed to an Educational Center for a period not exceeding six months and shall in addition be ordered to pay to the society concerned such damages as may have been incurred by the society.

26. The Minister, may for any registered society or class of such societies, make rules aimed at the better carrying out of the objectives of this Decree in regard to-

Rules and Regulations.

- (a) conditions for membership;
- (b) share or portion of the capital of a society which may be held by a member;
- (c) procedure to be followed making the by laws;
- (d) election of members;
- (e) raising of funds and proper maintenance of accounts;
- (f) appointment and terms of service for the employees or remuneration of members;
- (g) general meeting and procedure at meetings;
- (h) investment of the society's money'
- (i) anything that may be or is required to be prescribed under this Decree.

Made at Zanzibar this 29<sup>th</sup> day of January, 1979

**ALI SALUM AHMED,**  
**Secretary to the Revolutionary**  
**Council**

I ASSENT

ABOUD JUMBE,  
Chairman of the  
Revolutionary Council

**REVOLUTIONARY COUNCIL DECREE NO. 4 OF 1979**

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**A DECREE TO ESTABLISH TAASISI YA KISWAHILI LUGHA  
ZA KIGENI (INSTITUTE OF KISWAHILI AND  
FOREIGN LANGUAGES)**

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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 at the Taasisi ya Kiswahili na Lugha za Kigeni (Institute of Kiswahili and Foreign Languages) Decree, 1979 and shall come into operation on such a date as the Minister may, by notice in the Gazettee, appoint.

Short title.

2. In this Decree-  
"Minister" means the Minister responsible for Education;

Interpretation.

"Member" means member in relation to the Council and Academic Board as provided for under sections 6 and 8 of this Decree and include the Chairman;

"Council" means the Council of the Institute under section 6:

"Director" means the Director appointed under section 10;

"Appointing authority in relation to the Council" means the authority responsible for the members' appointment to the Council;

"Government" means Revolutionary Government of Zanzibar;

“Institute” means the “Taasisi ya Kiswahili na Lugha za Kigeni; established by section 3.

Establishment of Institute.

3-(1) There is hereby established an Institute to be known as Taasisi ya Kiswahili na Lugha za Kigeni (Institute of Kiswahili and Foreign Languages).

2. The Institute shall be a body corporate and shall-

- (a) have perpetual succession and common seal;
- (b) in its corporate name, be capable of suing and being sued;
- (c) have power to enter into contracts;
- (d) be capable of acquiring, purchasing or in any way disposing of movable and immovable property;
- (e) have power to receive, disburse, borrow or lend money.

Objection and functions of Institute

4. Whereas, the basic and primary object of the Institute is to foster, maintain and develop Kiswahili in the highest possible standard that will preserve it in its pure and fine form with its best qualities and virtues while at the same time avoiding all possible tendencies which threaten to pollute its characteristics of a soft, musical, expressive and classic language resulting in good speakers in whatever other languages they speak, in order therefore to achieve this objective, the functions of the Institute shall be:-

- (a) to provide facilities for the study, extension and training in the knowledge of Kiswahili language in accordance with modern and scientific principles of language and the teaching of foreign languages;
- (b) to engage in research into various fields pertaining to the knowledge of Kiswahili based on old manuscripts and non-standard dialects of the language;
- (c) to establish and foster closer co-operation with neighboring and other African countries which have interest in the use and development of Kiswahili language;
- (d) to liaise and associate with the National Kiswahili Council of Tanzania (BAKITA), the Institute of Kiswahili Research of the University of Dar es Salaam and other Institutions of higher

learning in furthering the advancement and development of Kiswahili language;

- (e) to prepare and organize the teaching of Kiswahili at different levels to suit the needs to local and foreign students joining the Institute to learn Kiswahili.
- (f) to arrange for the publication and general dissemination of materials produced in connection with the Institute as well as related important works translated into Kiswahili from foreign languages as may from time to time be directed by the Council;
- (g) to conduct examination for and to grant certificate and other awards of the Institute.

Honorary Chairman and granting of Certificates.

5. It shall be lawful for the Institute-

- (a) to have the Chairman of the Revolutionary Council as Honorary Chairman of the Institute;
- (b) to grant certification and other awards to qualified persons who have undergone courses of study provided by and approved by the Council.

6.-(1) There shall be a Council of the Institute whose Chairman shall be the Minister for Education and shall comprise of the following other members:-

Council.

- (a) the Director of the Institute;
  - (b) the Assistant Minister, Ministry of Education;
  - (c) the Assistant Minister, Ministry of National Culture and Sport;
  - (d) the Director of Broadcasting;
  - (e) six other members appointed by the Minister.
- (2) The appointment of all members of the Council shall be published in the Gazette by the Minister.

Power and duties of Council.

- (3) The members of the Council shall from among themselves elect a Vice-chairman, who shall hold office for so long as he remains a member of the Council.

7.-(1) Sublet to the provisions of this Decree, the management and control of the Institute shall be vested in the Council which shall have the power-

- (a) to administer the properties of the Institute both movable and immovable;
- (b) to administer the funds and other assets of the Institute;
- (c) to establish the Examination Board for the conduct of examination and such other board departments and committees as the Council may deem fit and delegate to such boards or Committees any of its functions under this Decree;
- (d) to signify the acts of the Institute for the general running and administration of the Institute.

(2) The Council may make regulations-

- (a) governing the award of certificate and other award which may be conferred or awarded by the Institute;
- (b) determining the conditions which may be fulfilled before the awarding of any certification or awards by Institute;
- (c) prescribing the manner in which the certificates and awards may be granted;
- (d) regulating the conduct of examinations;
- (e) on fees payable for admission to the Institute or examinations held by the Institute;
- (f) providing for and regulation disciplinary proceedings against the students other officers of the Institute;
- (g) providing for the foreign languages to be studied at the Institute as may specified by the Minister;

(h) providing generally for such acts and things as may be provided for under this Decree or as may in the opinion of the Council be necessary for the proper discharge of the functions of the Institute.

8.-(1) Subject to the provisions of the Decree, the Council shall establish an Academic Board which shall comprise of-

Academic Board.

- (a) the Director of the Institute who shall be the Chairman;
- (b) the Administrative Secretary who shall be the Secretary;
- (c) the Heads of Departments for the languages taught at the Institute;
- (d) three other members appointed by the Minister of Education representing the Ministry.

(2) The Academic Board shall, subject to the general or specific direction of the Council, have the power-

- (a) to review and make recommendations to the Council regarding the control and regulation of instruction, education and research programme of the Institute;
- (b) to make recommendations to the Council on any matter pertaining to the courses of study and certificate awarded by the institute;
- (c) to make recommendations to the Council as to the foreign languages which are to be included in the study courses of the Institute;
- (d) to do any act or thing as it may be empowered to do by the Council subject to the provisions of this Decree.

9.-(1) Subject to any general or specific direction of the Minister, the Council shall meet at least four times a year by notice of the Chairman or in his absence the Vice-chairman as and when need arises.

Meeting and procedure of Council.

(2) At any meeting more than half of the total number of members of the Council shall constitute a quorum for a meeting of the Council.

(3) The Council shall cause minutes of all proceeding meeting to the Council to be entered in a book kept for that purpose.

(4) Minutes of previous meeting of the Council shall be confirmed by the Council at the next meeting by signature of the Chairman.

(5) The appointment of a member who absents himself from three consecutive meetings of the Council without reasonable excuses may be terminated by the Minister or other appointing authority on the advice of the Council.

Appointment of  
Director

10-(1) The Chairman of the revolutionary Council shall appoint the Director of the Institute.

(2) The Director shall be the Chief Administrative and Executive Officer of the Institute and shall be responsible to the Council:-

(a) for the proper day to day administration of the Institute in accordance with the policy laid down by the Council;

(b) for the academic management of the Institute;

(c) for the proper enforcement of rules and regulations as may from time to time be made by the council or on the direction of the Minister.

(3) The Minister may appoint-

(a) a suitable person to be the Administrative Secretary of the Institute who shall also act as the Secretary of the Council and shall attend the meeting of the Council, but shall not, save where he is also a member of the Council, be entitled to participate in the deliberations of the Council. The Administrative Secretary shall in addition to other administrative functions assigned to him by the Director, be responsible for publicity of the Institute's affairs, the editing of the Institute's journal or other publications;

(b) such other officers of the Institute on the advice of the Council as may be necessary for the proper functioning of the Institute.

11. The funds of the Institute shall consist of-



- (a) such money as may be provided for the purposes of the Institute from Government revenue through the Ministry of Education,
- (b) such other money as may in any manner be payable to or vested in the Institute by way of fees, gifts grants or otherwise.

Made at Zanzibar, this 29th day of January, 1979.

**ALI SALUM AHMED,  
Secretary of the Revolutionary  
Council**

I ASSENT,  
ABOUT JUMBE,  
Chairman of the  
Revolutionary Council

**REVOLUTIONARY COUNCIL DECREE NO. 5 OF 1979**

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**A DECREE TO MAKE PROVISION FOR THE ESTABLISHMENT  
OF JESHI LA KUJENGA UCHUMI 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 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 Jeshi la Kujenga Uchumi Decree, 1979.

Interpreta-  
tion.

2. In this Decree unless the context otherwise requires-

“Appropriate Authority” means the authority charged in accordance with Rules or orders made under this Decree, with responsibility for the matter in question;

“Chairman” means the Chairman of the Revolutionary Council’

“the Chief” means the Chief of jeshi la Kujenga Uchumi appointed under section 20 of this Decree;

“enlistment Notice” means the enlistment notice provided for under section 5;

“Government” means the Revolutionary Government of Zanzibar

“JKU’ means Jeshi la Kujenga Uchumi;

“JKU Register” means the register required to be kept by the Chief of Jeshi la Kujenga Uchumi;

“Members” means in relation to the service, both servicemen enlisted or re-engaged and persons seconded to the service;

“Minister” means the Minister for the time being responsible for Jeshi la kujenga Uchumi;

“Post Secondary Institution” means any University, College or other education or vocational training establishment offering a course of studies or training for any profession, vocation or occupation, whether or not any degree, diploma or other award is granted to students enrolling therein, but does not include any such institutuon wich offers only correspondence course and does not require its students to attend any lecture or semnar;

“Postponement certificate” means the certificate which may be granted under section 11;

“Registrar” means the person responsible for the register appointed under section 7 to keep the JKU Register;

“Service” means service in the Jeshi la Kujenga Uchumi;

“Serviceman” means a member of the Jeshi la Kujenga Uchumi;

3.-(1) There shall be established and maintained a service to be known as Jeshi la Kujenga Uchumi (here in after refferred to as JKU)

Establishment of service.

(2) The functions of Jeshi la Kujenga Uchumi shall be the training of young citizens of the United Republic of Tanzania, Zanzibar, to serve the nation and in particular the employment of servicemen in-

(a) Instruction in the basic principles of economy and their application in terms of various froms of agricultural and industral activites as well as the fishery Industry.

(b) Political education

(c) Social and cultural activities including social development.

(d) Defence of the nation.

Members of  
the service.

4.-(1) The JKU shall consist of such number of members as may be determined by the Chairman.

(2) The members of the JKU shall be servicemen enlisted or persons otherwise in the civil or military service of the United Republic of Tanzania seconded for service in the JKU in terms of the provisions of this Decree.

Servicemen.

5.-(1) The appropriate authority may enlist into the JKU male and female citizens who at the time of their first enlistment, are between the apparent ages of sixteen and thirty-five years (both inclusive);

provided that the provision of this subsection shall not be construed so as to disqualify any person who is over the apparent age of thirty-five years from joining or continuing as a member of the service and for the avoidance of doubt it is hereby declared that such members shall continue remaining members of the JKU.

(2) Every serviceman shall not on first joining the JKU make the declaration as shall be prescribed by the Minister.

(3) Every serviceman shall be enlisted to serve the JKU for an initial period of not less than three consecutive years, except for Form IV, V, VI leavers and those covered under section 6(b) of this decree, whose initial period to serve in the JKU shall be one year.

provided that in the case of a serviceman enlisted under the provisions of section 10 (1) on expiry of the initial period the serviceman may, if he so wishes and the appropriate authority so agrees, be re-engaged for a further period of the same duration.

(4) where in the opinion of the Chief of the JKU any serviceman enlisted under the provisions of section 10 of this Decree, has not, on the completion of the period of three years or one year provided for, attained a standard normally expected of a serviceman in the JKU may, by order under his hand, extend such a period as the Chief of the JKU may in such order specify.

6.-(1) Subject to the provision of this Decree, every person to whom this section applies shall be liable to have his name entered in the JKU Register and to be called upon to serve on the JKU

Liability to be called up for JKU.

(2) The provisions of subsection (1) of section 10 shall apply to every male and female citizen-

- (a) who has on or after 31st December, 1978 completed in the United Republic of Tanzania or elsewhere, an academic year in Form III,IV,V or VI;
- (b) who having completed an academic year in Form III, IV, V or VI subsequently enrolled in any post-secondary school institution, whether within or outside the United Republic of Tanzania for a course of studies and has for any reason whatsoever ceased on or after 31st December, 1978 to be a student of such a postsecondary school institution after having been a student of such institution for any period whatsoever;

Provided that a person shall be deemed to have complete an academic year in Form III,IV,V or VI if he has been a student at a school or other educational institution and remained enrolled as a member of the respective class for the whole of academic year, whether or not he sat for or passed any examination.

(3) Notwithstanding the provisions of subsection (2) this section shall not apply to any person who-

- (a) is certified by a medical officer as being blind or lunatic;
- (b) is a public officer and such an officer on 31st December, 1978;
- (c) having become a public officer on 32st December, 1978 attends any service training course at any post-secondary school institution for any duration;
- (d) being a woman who was lawfully married prior to 31st December, 1978;

(e) is a person exempted under section 15 or who belong to a category of persons exempted from the relevant provision of thi Decree.

Appointment of Registrar of JKU.

7. The Chief of JKU shall be the Registrar and shall keep a register of all persons who are liable under this Decree to serve the JKU and shall perform such other duties in connection with the said register and the enlistment of members of the JKU as may be prescribed in this Decree of Rules made under this Decree.

Registration.

8.-(1) it shall be the duty of the Registrar to ensure that the names and particulars of person liable under the provisions of this Decree to be called up for JKU received by him pursuant to Rules made under the provisions of section 9 are entered in the JKU Register.

(2) The registrar may, from time to time, make any necessary alterations or corrections in the JKU Register in relation to any entry therein and shall remove from the said Register the name of every person who died before being called up for JKU or who ceases to be liable to be called up for JKU.

(3) if at any time before being called up for JKU a person whose name is entered in the JKU Register changes his name or address such change should be notified to the JKU authorities and if he fails to do so he shall be guilty of an offence against this Decree.

Rules relating to registration.

9. The Minister may make Rules in relation to the following:-

- (a) requiring the Principal of Secondary Schools or other educational or professional institutions to furnish to the Registrar particulars about students attending such schools or institutions who may be liable under the provisions of this Decree to be called up for JKU;
- (b) requiring public officers to furnish to the Registrar particulars of students studying outside Zanzibar who may be liable under this Decree to be called up for JKU;
- (c) requiring persons whose names have been entered in the JKU Register to furnish particulars to the Registrar as may be prescribed;

(d) generally such other rules as he thinks necessary in relation to registration.

10.-(1) Every person who, upon the commencement of this Decree is or at any later date becomes liable to be called upon to serve in the JKU in accordance with the provisions of this Decree, shall within thirty days of the commencement of this Decree or his so becoming liable, as the case may be, present himself in person to the Registrar or such other person appointed by the Registrar.

Obligation of persons liable to report for service.

(2) Any person who, being liable under this Decree to be called upon to serve in the JKU fails without reasonable excuse to present himself in person to the Registrar or such other person appointed by the Registrar within the period specified in subsection (1) shall be guilty of an offence against this Decree and shall be liable on conviction to a fine not exceeding one thousand shilings or to be sent to an Educational Center for a term not exceeding six months or to both such fine and confinement.

(3) The Registrar may cause to be served on any person who is liable under this Decree to be called up for JKU a written notice (hereinafter referred to as "an enlistment notice") stating that he is called up for JKU and requiring him to present himself at such place and time and to such authority, as may be so specified, and subject to the provisions of this section, the person upon whom the notice is served shall be deemed as from the day so specified to have been duly enlisted in the JKU and the period for which he is enlisted shall begin on the said day or such later day when he may present himself for service.

(4) Where an enlistment notice has been served on any person, the Chief of JKU may, at any time while that person remains liable under this Decree to be called upon for JKU, cancel the notice or cause to be served on him a further enlistment notice varying the original notice by altering the place or time at which he is thereby required to present himself.

(5) Where at the beginning of the day specified in an enlistment notice or the day on which the person to whom the notice relates is thereby required to present himself, any of the following conditions is fulfilled that is to say-

(a) a postponement certificate relating to him is in force;

(b) that any application or appeal made by him under section 11 is pending, the enlistment notice served on him shall be of no effect.

(6) An enlistment notice served on any person shall cease to have effect if before the day on which he is thereby required to present himself he ceases to be liable under this Decree to be called up for JKU.

(7) There shall be paid to persons required to present themselves in accordance with enlistment notice, served upon them, such travelling allowances as the Minister may prescribe.

(8) Any person upon whom an enlistment notice has been served who, being liable to be called up for JKU on the day when he is thereby required to present himself, fails without reasonable excuse to present himself in accordance with the provisions of such notice shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand shillings or to be committed to an Educational Center for a term not exceeding six months or to both such fine and confinement.

Postponement  
certificates.

11-(1) Subject to the provisions of this section, any person upon whom an enlistment notice has been served under section 10 may apply in the prescribed manner for a certificate of postponement if liable under this Decree to be called up for JKU (hereinafter referred to as a "postponement certificate) on the ground that exceptional hardship would ensue if he were called up for service, and may, on that ground, apply in the prescribed manner for the renewal of any postponement certificate granted to him.

(2) Where application for a postponement certificate or for the renewal of a postponement certificate is made, that application shall be considered by the JKU hardship Committee (hereinafter referred to as "the Committee") constituted under subsection (3).

(3) The Minister shall appoint a JKU Hardship Committee for the respective areas or districts as the case may be comprising of the CCM Chairman of the Area or District as its chairman, one representative from the Area or District Revolutionary Committee and another from either of the CCM affiliated (Jumuia) bodies in the area or District concerned as members.



(4) An application for the grant of a postponement certificate may be made at any time after an enlistment notice has been served on the applicant but before the days before the day specified in the notice as the day on which he is thereby required to present himself.

(5) An application for the renewal of a postponement certificate shall be made at least thirty days before the expiration of the period for which that certificate was granted or last renewed.

12. An applicant for a postponement certificate or the renewal of a postponement certificate who is aggrieved by the determination of the Committee, may in the prescribed manner, appeal to the Minister whose decision shall be final.

Appeals from determination of the Committee.

13.-(1) If any time while a postponement certificate is in force, it appears to the Registrar that, by reason of any change in the circumstances of the person to whom the certificate was granted, the certificate ought to be revoked or the period for which it was granted or last renewed ought to be shortened, the Registrar shall file an application to the Committee which may either refuse the application or cancel the certificate or vary it by shortening the said period.

Revocation of postponement certificates.

(2) Where an application is made under subsection (1) the person to whom the postponement certificate in question was granted shall be entitled to be heard on the application, and if he is aggrieved in any manner, appeal to the Minister whose decision shall be final.

14-(1) The Registrar or any person authorised by him shall be entitled to be heard on any application before the Committee.

Provision as to the Committee.

(2) No determination of an appeal to the Minister or any application to the Committee or the determination thereof shall be questioned in any court of law.

15. The Minister may by order under his hand exempt any person from liability under this Decree to be called upon to serve in the JKU.

Exemption from liability.

16.-(1) any citizen who is in the civil or military service of the United Republic of Tanzania or the Government of Zanzibar may, if he so

Seconded members.

wishes and if the appropriate authorities so approve, be seconded for employment with the JKU.

(2) The period of secondment shall be such period (not exceeding two years at any one time) as shall be agreed upon at the commencement of the employment, and subject in each case to such limitation aforesaid the secondment, any, if the person seconded so wishes and the appropriate authorities so approve, be renewed from time to time.

(3) Where a person is first seconded for employment with the JKU in any particular rank, he shall not thereafter be required to serve in any rank junior thereto without his consent, if he can no longer be employed in the rank at which he was first seconded or in any rank senior thereto, his secondment shall, if he so wishes, be forthwith terminated.

Extension of engagement and secondment.

17.-(1) Notwithstanding the foregoing provisions of this Decree other than subsection (3) or section 6, any member of the JKU whose engagement or secondment expires during a state of war, insurrection, hostilities or public emergency may be retained in the service and his engagement and secondment prolonged for such further period as the appropriate authorities, with the approval of the Chairman, direct.

Re-call of Ex-servicemen.

(2) After the conclusion of his engagement with the Jeshi la Kujenga Uchumi, such ex-serviceman shall be liable to be re-called to serve the JKU or any branch of the Tanzania People's Defence Forces or for such purposes as may be directed under section 22 of this Decree.

Discharge.

18. The appropriate authority may at any time during the term of an engagement discharge a member of the JKU if for any reason, his services are no longer required or if in the opinion of the appropriate authority, the continued engagement of the serviceman is contrary to the public interest or the interest of the JKU.

Organisation and structure of the JKU.

19.-(1) the JKU shall be divided into such numbers and description of branches, units and sub-units, as the Minister shall from time to time direct.

(2) Any serviceman can, save where he is seconded specifically for a particular description of branch, unit or sub-unit (in which case he may be posted only to a branch, unit or sub-unit of that description), be posted to and employed in any branch, unit or sub-unit of the JKU.

20. The Chairman may appoint a member of the JKU or the Public Service or the Tanzania people's Defence Forces to be the Chief of JKU and subject to the provisions of this Decree and to any Rules made hereunder and to the direction of the Chairman or the Minister, the Chief of JKU shall have the command, supernterndence, direction and administration of the JKU.

Appointment of the Chief of JKU.

21.-(1) Every member of JKU shall-

Duties and employment of the service.

(a) perform such duties and carry out such training as he may be directed by the officers sinior to or placed in command over him;

(b) obey and execute pomptly all orders lawfully issued to him by the officers snior to or placed in command.

(2) Notwithstanding the provisions of section 3of this Decree and without prejudice to the generality of the Foregoing provisions of this Decree or any law, members of JKU shall in addition be trained in the use of arms and weapons of war.

(3) For the purposes of compensation for disability or death arising in the course of training operations, such matters shall be referred to the Government through the Minister for necessary action.

Charge against member for taking part in mutiny.

Provided that command in respect of the military operations of the JKU shall vest in the Chief of Defence Forces or such other person on his behalf as provided for under the National Defence Act, 1966.

22.-(1) The Chairman may, during a state of war, insurrection, hostilities or public emergency-

Employment of servicemen in times of emergency.

(a) call out the JKU or any part thereof;

(b) order that the service or any part thereof be employed to serve with the Tanzania People's Defence or otherwise in the Defence of the United Republic.

(2) Where any part of the Service is, in pursuance of an order made under this section, serving with the Tanzania People's Defence Forces or otherwise in the defence of the United Republic, it shall be governed by, and subject to the National Defence Act, 1966 and

the members of the service for the time being serving with such part shall be deemed to be subject to that Act.

## Discipline

23.- (1) Subject to the provisions of this section the Minister may make Rules prescribing disciplinary code the JKU and such Rules may, without prejudice to the generality of the foregoing-

(a) make provisions for the investigation of disciplinary offences and the hearing and determination of disciplinary proceedings;

(b) make provision for appeals;

(c) confinement in a guardroom, or restriction to the confines of any

(2) The following disciplinary penalties and awards, or any combination thereof, may be prescribed for infringements of the disciplinary code-

(a) dismissal from the JKU:

(b) reduction in rank;

(c) confinement in a guardroom or restriction to the confines of any camp or other area where a part of the Service is stationed for not more than twenty-one days;

(d) a fine not exceeding half of the serviceman's monthly salary or allowances;

(e) stoppages of pay;

(f) extra drill or parades.

(3) Every serviceman shall be subject to the disciplinary code.

(4) A person seconded to the JKU shall not be subject to the disciplinary code but shall remain subject to the laws, regulations and orders governing that part of the service of the United Republic of Tanzania from which he was seconded to the JKU;

(a) nothing in this subsection shall preclude such a person from being proceeded against under any appropriate provision of any such law, regulation or order for a dereliction of duty while seconded to the JKU; and

(b) nothing in this subsection shall preclude a person from exercising any function under the disciplinary code or shall be construed as derogating from the status or authority to the rank he holds.

24.- (1) Any member of the JKU who-

(a) takes part in a mutiny involving the use of violence or the threat of violence; or

(c) incites any other member of the JKU or any member of the Military Forces, the Police Force or the Educational Center to take part in any such mutiny, whether actual or intended.

Charge against member for taking part in mutiny.

Shall be guilty of an offence and shall be liable on conviction by the High Court to suffer death or imprisonment for life or any lesser period.

(2) Any member of the JKU who, in a case not within subsection (1) of this section, takes part in a mutiny or incites any such person as is referred to in paragraph (b) of the said subsection (1) to take part in a mutiny, whether actual or intended, shall be guilty of an offence and shall be liable on conviction by the High Court to confinement for life or any lesser period.

(3) In this section "mutiny" means a combination between two or more members of the Services or Forces referred to in paragraph (b) of subsection (1) or between persons at least two of whom are members of any such Service or Forces-

(a) to overthrow or resist lawful authority in any such Service or Force; or

(b) to disobey any such authority in such circumstances as to make the disobedience subversive of discipline.

25. Any member of the JKU who-

Disobedience.

(a) strikes or otherwise use violence to, offers violence to, an officer senior to or palced in command over him;

(b) uses threatening or insubordinate language to any such officer; or

(c) refuses to obey a lawful order of any such officer;

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand shilling or to confinement for a term not exceeding one year or to both such fine and confinement.

26.- (1) Any member of the JKU who deserts from the service shall be guilty of an offence and Desertion shall be liable on conviction to confinement for a term not exceeding six months or to a fine not exceeding one thousand shillings or to both such confinement and fine.

(2) No person shall be found guilty of the offence of desertion unless the court is satisfied that he intended not to return to the service.

Provided that where serviceman has without lawful authority absented himself from his duties for a period of twenty-one consecutive days or more the court shall presume that he did not intend to return to the Service.

Persons  
causing  
dissatisfac-  
tion, etc.

27. Any person who-

- (a) causes or attempts to cause or does any act calculated to cause dissatisfaction amongst members of the Service; or
- (b) induces attempts to induce, or does any act calculated to induce any member of the Service to desert or to commit any breach of discipline,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two thousand shillings or to confinement for a term not exceeding two years or to both such fine and confinement.

Arms and  
accoutrements.

28.-(1) When a member of the Service ceases to belong to the Service, all powers and authorities vested in him by or under this Decree, shall immediately cease and determine and he shall forthwith deliver up to the person appointed by the Chief of JKU for that purpose, all arms, ammunition accoutrements, clothing, uniform and other equipments which have been supplied to him or entrusted to his care and which are the property of the Revolutionary Government of Zanzibar.

(2) Any member of the Service who, having ceased to belong to the Service, fails to deliver up any arms, ammunition, accoutrements, clothing, uniform or other equipments as required by the provisions of this section, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding four hundred shilling or to confinement for a term not exceeding three months or to both such fine and confinement.

29. Any person who-

(a) in giving any information for the purposes of this Decree knowingly or recklessly makes a statement which is false in a material particular; or

(b) with intent to deceive-

(i) forges, or uses, lends to or allows to be used by any other person, any certificate issued under the provisions of this Decree; or

(ii) makes, or has in his possession any documents so closely resembling any certificate so issued as to be calculated to deceive,

shall be guilty of an offence under this Decree and shall be liable on conviction to a fine of one thousand shillings or to confinement for a term not exceeding four months or to both such fine and confinement.

30. A person guilty of an offence under the provisions of this Decree, not being an offence for which a penalty is thereby expressly provided, by reason of non-compliance with any of the provisions of this Decree shall be liable on conviction to a fine not exceeding five hundred shillings.

31-(1) In addition to the powers to make rules provided in the foregoing provisions of this Decree, the Minister may make rules shilling to the following matters;-

(a) the establishment, organization and distribution of the Service, the conditions of appointment and service and the various ranks and appointments therein;

(b) the duties to be performed by members of the Service and their guidance in the discharge of such duties;

False statements and forgery.

Penalty for other offences.

- (c) the payment, allowances and gratuities of members of the Service;
  - (d) the description and issue of arms, ammunition, accoutrements, uniforms, emblems and badges of rank and necessities to be supplied to members of the Service;
  - (e) the conditions governing resignation, dismissal, discharge, reduction in rank or reversion of members of the Service;
  - (f) leave conditions of the service;
  - (g) generally for the good order and management of the Service;
  - (h) the issue specified circumstances of fresh postponement certificates in place of certificates which have been lost, destroyed or defaced;
  - (i) the principles to be applied and the circumstances to which regard is and not to be had, on the hearing of any application for the grant, renewal, cancellation postponement certificates in place of certificates or variation of a postponement certificate.
- (2) Subject to the provisions of this Decree and Rules made under the provisions of this section to any restrictions or exceptions therein contained, the Chief of JKU and other members of the Service having command of any branch, unit or sub-unit thereof may make general, special, routine and standing orders with respect to all or any of the following matters, that is to say-
- (a) the discipline, good order and guidance of the branches, units and sub-units under his command;
  - (b) the organization and duties of the branches units and sub-units under his command;
  - (c) the distribution, posting, transfer, attachment and inspection of personnel; and
  - (d) the description, supply, use and disposal of arms, accoutrements, clothing and other stores.

Unlawful possession of articles supplied to members of the service.

32.-(1) Any person not being a member of the Service, who is found in possession of any article whatsoever which has been supplied to a member for use in the execution of his duty or an imitation of such article who fails to account satisfactorily for his possession thereof, shall be guilty of an offence and shall be liable



on conviction to a fine not exceeding four hundred shilings or to confinement for a term not exceeding three months or to both such fine and confinement.

(2) Any person who, without lawful authority-

(a) purchases or makes any article whatsoever which has been supplied to such member for use in the execution of his duty; or

(b) aids and abates such member in selling or disposing of any article,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding four hundred shillings or to confinement for a term not exceeding three months or to both such fine and confinement.

33. The units raised and maintained in Zanzibar and Pemba under the authority of the Zanzibar Revolutionary Government and under the style of the JKU before the commencement of this Decree shall, with effect from the commencement of this Decree, be deemed to have been raised under this Decree.

Maintenance of units.

34. The Young Camps Decree, 1971 is hereby repealed.

Repeal of Decree No. 16 of 1971.

Made at Zanzibar this 29<sup>th</sup> day of January, 1979

**ALI SALIM AHMED,  
Secretary to the Revolutionary  
Council**

I ASSENT,

ABOUD JUMBE,  
Chairman of the  
Revolutionary Council.

**REVOLUTIONARY COUNCIL DECREE NO. 6 OF 1979**

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**A DECREE TO REPEAL AND REPLACE THE EMIGRATION  
CONTROL DECREE, 1969.**

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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 Emigration Control Decree, 1979.
- Interpretation. 2. In This Decree unless the context otherwise requires-  
"citizen" shall mean a citizen of Tanzania born in Zanzibar  
"mainland" shall mean Tanzania Mainland;
- Cap. 43. "pass" and "passport" shall have the same meaning given in the  
Immigration Control Decree.
- Citizens who left Zanzibar. 3.-(1) Citizens who had emigrated from Zanzibar and were declared  
by law prohibited immigrants may return as and when they want to  
do so.  
(2) The Immigration Department shall divese a from to be filled at  
the airport upon arrival of such persons.
- Procedure for travelling outside Zanzibar. 4.-(1) Any citizen wishing to travel to the mainland or elsewhere outside  
Zanzibar may obtain a letter from his CCM branch Chairman or Head of  
Department.  
(2) The Immigration Department shall issue a pass or a passport, as  
the case may be, on presentation of the said letter.

5. Upon the expiry of the passes or passports of the citizens residing either on the mainland or elsewhere, suitable arrangements for the of renewal of same shall be made by the immigration Department.

Renewal of passes.

6. The Emigration Control Decree, 1969 is hereby repealed.

Repeal of Decree No. 9 of 1969.

Made at Zanzibar this 2<sup>nd</sup> day of June, 1979.

**ALI SALIM AHMED,  
Secretary to the Revolutionary  
Council**

I ASSENT,  
ABOUD JUMBE,  
Chairman of the  
Revolutionary Council.

**REVOLUTIONARY COUNCIL DECREE NO.7 OF 1979**

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**A DECREE TO AMEND THE STATISTICS ORDINANCE, 1961  
(APPLICATION) DECREE, 1967.**

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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 Statistics ordinance, 1961 (Amendment) Decree, 1979 and shall be read as one with the Statistics Ordinance (Application) Decree, 1967 hereafter referred to as the principal Decree.

Repeal and renumbering of section 2 (4) and 2 (5) 2. Section 2 of the principal Decree is hereby amended as follows:-  
"by repealing subsection (4) and renumbering subsection (5) as subsection (4)".

Made at Zanzibar this 2<sup>nd</sup> day of June, 1979.

**ALI SALIM AHMED,  
Secretary to the Revolutionary  
Council**

I ASSENT,  
ABOUD JUMBE,  
Chairman of the  
Revolutionary Council.

**REVOLUTIONARY COUNCIL DECREE NO.8 OF 1979**

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**A DECREE TO AMEND THE PEOPLE'S COURTS  
DECREE, 1969.**

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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 People's Courts (Amendment) Decree, 1979 and shall be read as one with the People's Courts Decree, 1969, hereinafter referred to as the principal Decree.

Short title.

2. The principal Decree is hereby amended by adding a new section immediately after section 11 to be numbered 11A (1) and 11A (2):-

"11A.-(1) Where an offender is granted pardon by the Chairman of the Revolutionary Council subject to conditions to be of good behavior and not to commit any offence after his release, commits any offence thereafter, he shall on conviction of the subsequent offence be liable to serve the remaining part of his sentence at the time when the pardon was granted in addition to the sentence appropriate to the subsequent offence.

Penalty for  
repeated of  
fence.

11A.- (2) The offenders Education (amendment) Decree. No.5 of 1972 is hereby repealed".

Repeal of  
Decree No. 5  
of 1972.

Made at Zanzibar this 2<sup>nd</sup> day of June, 1979.

**ALI SALIM AHMED,  
Secretary to the Revolutionary  
Council**

I ASSENT,  
ABOUD JUMBE,  
Chairman of the  
Revolutionary Council.

**REVOLUTIONARY COUNCIL DECREE NO.9 OF 1979**

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**A DECREE TO AMEND THE SUPREME COUNCIL  
DECREE**

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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 make the following Decree:-

- Short title. 1. This Decree may be cited as the Supreme Council (Amendment) Decree, 1979 and shall be read as one with the Supreme Council Decree, 1970 hereinafter referred to as the principal Decree.
- Amendment of section 3. 2. Subsection (1) (a) of section 3 of the principal Decree is hereby amended by repealing it thereof and replacing it by the following new subsection to be numbered (1) (a):-
- “(a) to hear and determine appeals from the High Court of Zanzibar in cases of murder, manslaughter, attempted murder and treason.”

Made at Zanzibar this 2<sup>nd</sup> day of June, 1979.

**ALI SALIM AHMED,  
Secretary to the Revolutionary  
Council**

I ASSENT,  
ABOUD JUMBE,  
Chairman of the  
Revolutionary Council.

**REVOLUTIONARY COUNCIL DECREE NO.10 OF 1979**

**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 Chairman of the Revolutionary Council by and with the advice and consent of the Revolutionary Council hereby make the following Decree:-

1. This Decree may be cited as the Trades Licensing (Amendment) Decree, 1979 and shall be read as one with the Trades licensing Decree, Cap. 97,1934 Revised Edition, hereinafter referred to as the principal Decree.

Short title.

2. the First Schedule to the principal Decree is hereby deleted and there is substituted therefore the following Schedule:-

First Schedule  
repealed and  
replaced.

**FIRST SCHEDULE**

Types of Trading Licenses	Fee for a year	fee for half year
Lighterage	15,000/-	8,250/-
Banking business	5,000/-	2,750/-
General Trade:		
For principal place of business	2,500/-	1,375/-
For subsidiary place of business	850/-	467/50
Retail Trade:		
Where the Stock is valued less Than 1,000/=	40/-	22/-

Types of Trading Licences	Fee for a year	Fee for half year
Where the Stock is valued above 1,000/- but less than 5,000/-		
For principal place of business	120/-	66/-
For subsidiary place of business	40/-	22/-
Where the Stock is valued above 1,000/- but less than 25,000/-		
For principal place of business	350/-	192/-
For subsidiary place of business	120/-	66/-
Where the Stock is valued above 1,000/- but less than 25,000/-		
For principal place of business	450/-	247/50
For subsidiary place of business	150/-	82/50
Where the Stock is valued above 25,000/- but less than 50,000/-		
For principal place of business	900/-	495/-
For subsidiary place of business	300/-	225/-
Where the Stock is valued above 50,000/ but less than 100,000/-		
For principal place of business	1,000/-	650/-
For subsidiary place of business	350/-	192/-50
Where the Stock is valued above 10,000/- but less than 250,000/-		
For principal place of business	1,500/-	825/-
For subsidiary place of business	500/-	275/-
Where the Stock is valued above 250,000/- but less than 500,000/-		
For principal place of business	2,000/-	1,100/-
For subsidiary place of business	650/-	351/50
Where the Stock is valued above 500,000/= but less than 1,000,000/=		
For principal place of business	2,250/-	1,237/50
For subsidiary place of business	750/-	467/50
Where the Stock is valued above		



Types of Trading Licences	Fee for a year	Fee for half year
Where the Stock is valued above 1,000,000/=		
For principal place of business	2,500/-	1,375/-
For subsidiary place of business	850/-	467/50

Made at Zanzibar this 2<sup>nd</sup> day of June, 2979.

**ALI SALIM AHMED,  
Secretary to the Revolutionary  
Council**

I ASSENT,  
ABOUD JUMBE,  
Chairman of the  
Revolutionary Council.

**REVOLUTIONARY COUNCIL DECREE NO.11 OF 1979**

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**A DECREE TO AMEND THE CONFISCATION OF IMMOVABLE  
PROPERTY DECREE, 1964**

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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 make the following Decree:-

- Short title. 1. This Decree may be cited as the Confiscation of Immovable property (Amendment) Decree, 1979 and shall be read as one with the Confiscation of Immovable Property Decree 1964, hereinafter referred to as the principal Decree.
- Section 2 of the principal Decree amended. 2. Section 2 of the principal Decree is hereby amended by inserting the following new proviso immediately after subsection (1):-
- “Provided that in the case of house built wholly or partly on loans obtained from the Tanzania Housing Bank or any such Bank within Tanzania or elsewhere, the provisions of this section shall not apply so long as the loans obtained are still outstanding otherwise should confiscation of such house take place, then due compensation for the houses shall be made”.

Made at Zanzibar this 2<sup>nd</sup> day of June, 1979.

**ALI SALIM AHMED,  
Secretary to the Revolutionary  
Council**

I ASSENT,

ABOUD JUMBE,

Chairman of the  
Revolutionary Council.

**REVOLUTIONARY COUNCIL DECREE NO.12 OF 1979**

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**A DECREE TO AMEND THE ANCIENT MONUMENTS  
PRESERVATION**

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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 make the following Decree:-

1. This Decree may be cited as the Ancient Monuments Preservation (Amendment) Decree, 1978 and shall be read as one with the Ancient Monuments Preservation Decree 1964, hereinafter referred to as the principal Decree. Short title.

2. Section 2 of the principal Decree is hereby amended as follows:- Section 2 is amended.

(a) by substituting the definition of "authority" with the following new definition:

"Authority" means any official authorized by the Minister to perform the duties of an Authority under this Decree"

(b) by adding the following definition immediately after the definition of 'maintain';-

"Minister" means the Minister for the time being responsible for the Ministry concerned with ancient monuments".

Made at Zanzibar this 2<sup>nd</sup> day of June, 2979.

**ALI SALIM AHMED,  
Secretary to the Revolutionary  
Counc**

I ASSENT,

ABOUD JUMBE,

Chairman of the  
Revolutionary Council.

**REVOLUTIONARY COUNCIL DECREE NO.13 OF 1979**

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**A DECREE TO MAKE PROVISION FOR THE ESTABLISHMENT  
OF KIKOSI MAALUM CHA KUZUIA MAGENDO AND FOR  
MATTERS CONNECTED THEREWITH AND INCIDENTAL  
THERE TO**

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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 make the following Decree:-

Short title

1. This Decree may be cited as the Kikosi Maalum cha Kuzuia Magendo Decree.

Interpretation.

2. In this Decree unless the context otherwise requires:-

“Chairman” means the Chairman of the revolutionary Council;

“Chief” means the Chief of Kikosi Maalum cha Kuzuia Magendo appointed under section 5 of this Decree;

“Committee” means Departmental Committee established under section 4 of this Decree;

“Confinement” means staying at Chuo cha Mafunzo after being found guilty of an offence;

“Minister” means the Minister for the time being responsible for Kikosi Maalum cha Kuzuia Magendo;

“Public emergency” means riot or such circumstances, including circumstances brought about by natural disaster, as in the opinion of an authority having power to exercise a functioning the event of public emergency are so grave as to be of national concern real or apprehended;

“Regulations” means the kikosi Maalum cha Kuzuia Magendo Regulations made under the provisions of this Decree;

“release” means the termination of service of a seaman in any manner whatsoever;

“seaman” means a person of whatever rank who is enrolled into the Kikosi Maalum cha Kuzuia Magendo pursuant to section 7 of this Decree;

“service offence” means offences prescribed in this Decree except for offences under sections 17 and 27 of this Decree;

“superior officer” means any seaman who, in relation to any other seaman, is by this Decree, or by the Regulations, authorized to give lawful command to that seaman;

“vessel” includes a ship, a boat and every other kind of vessel used in navigation either on the sea or in inland waters and includes aircraft.

3.(1) There shall be raised and maintained in Zanzibar within the United Republic of Tanzania, a force to be known as Kikosi Maalum cha Kuzuia Magendo (hereinafter referred to as KMKM).

Constitution.

(2) the duties of the KMKM shall be-

- (a) to ensure the security of the territorial waters of Zanzibar and the United Republic of Tanzania as a whole:
- (b) to ensure the security of the country from spies and saboteurs coming by the sea;
- (c) to protect and defend the natural resources and wealth of the state;

- (d) to assist in every way possible the successful operation of anti smuggling campaigns in the country;
- (e) to protect convoys of Government vessels and of those vessels transporting members of the public, leaders or other valuable good;
- (f) to transport troops when called upon to do so;
- (g) to joint forces with the Tanzania People's Defence Forces, when mobilizes, in the Defence of the United Republic of Tanzania.

Depatmentall.  
Committee.

4. (1) There shall be a Departmental Committee (hereinafter referred to as the Committee) whose composition shall be in accordance with the provisions of the Revolutionary Committees Decree, 1979.

(2) The Committee shall be responsible for such functions as are conferred on it by law and, subject to the powers of the Chairman and the Minister, for the review and formulation of policy in all matters relating to the administration and supply of the KMKM.

(3) Nothing in this section shall be construed as conferring on the Committee any powers or responsibility for the operational use of the KMKM.

(4) The acts of the Committee, including the making of KMKM Regulations, may be signified, by command of the Committee, by any person appointed Secretary to the Committee.

Chief of  
KMKM.

5. (1) The Chairman may appoint an officer of be Chief of KMKM (hereinafter referred to as the Chief).

(2) The Chief shall, subject to the powers of the Chairman and the Minister and to the directions of the Committee as respects any matter for which it has responsibility, have the command, direction and general superintendence of the KMKM.

(3) Unless the chairman otherwise directs, all orders and instructions to the KMKM which are required to give effect to the decisions and to carry out the directions of the Revolutionary Government of Zanzibar, the Minister, or the Committee shall be issued by or through the Chief.

6. (1) Senior command appointments shall be made by the Chairman after consultation with the Revolutionary Council Committee for Defence law and order.

Command ap-  
pointments.

(2) Junior command appointments shall be made by the Committee.

(3) The ranks, authority and powers of command of officers and seamen shall be as prescribed by the Regulations.

(4) The Regulation shall provide which command appointments are senior and which are junior.

7. (1) Persons shall be enrolled in KMKM as may be prescribed in the Regulations.

Enrolment.

(2) Enrolment of a person binds that person to serve in KMKM until he is released in accordance with the Regulations.

(3) Every person enrolled in the KMKM shall take the oath of allegiance and such other declarations in such manner and in such form as may be prescribed by the Regulations.

8. (1) a seaman may be released at any time for such reasons and conditions as may be prescribed by the Regulations.

(2) Subject to the provisions of this section and except during an emergency a seaman is entitled to be released at the expiration of the term of service for which he is enrolled.

(3) Except as may be provided in the Regulations, all periods during which a seaman has been absent from his duty by reasons of-

(a) confinement to Chuo cha Mafunzo;

(b) desertion; or

(c) absence without leave,

shall not be reckoned towards the completion of the term of service for which that seaman is enrolled.

(4) Where a term of service for which a seaman is enrolled expires during an emergency or within six months after the expiration of an emergency he is liable to serve until the expiration of six months after the emergency has ceased to exist.

(5) a seaman shall not be entitled to be released a time when, as a result of having committed or being suspected of having committed a service offence proceedings against him are or are likely to be taken.

- |   |   |
|---|---|
| Promotion   | 9. Promotions of the seaman shall be by such authorizes as are prescribed in the Regulations.   |
| Pay, allowances, forfeitures and deductions.      | 10. (1) The pay and allowances of seaman shall be at such rates and issued under such conditions as are prescribed by the Regulations.<br><br>(2) The pay and allowances of seaman are subject to such forfeitures and deductions as may be prescribed by the Regulations.  |
| Liability for loss or damages to public property. | 11. The conditions under which and the extent to which a seaman is liable in respect of loss of or damage to public property shall be as prescribed in the Regulations.   |
| Redress of Grievances.                            | 12. except in respect of a matter that would properly be the subject of an appeal or petition under the disciplinary proceedings, a seaman who considers that he has suffered any personal oppression, injustice or other ill-treatment or that he has any other cause for grievance, may as a matter of right seek redress from such superior authorities in such manner and under such conditions as shall be prescribed in the Regulations.  |
| Training.   | 13. (1) the Minister may cause any member of the KMKM to be instructed, trained and exercised on shore or on board any vessel or partly on shore and partly on board any vessel within or without the limits of the United Republic, Zanzibar or its territorial waters.<br><br>(2) Any person who willfully obstructs or interferes with instruction, training or exercise of the KMKM authorized under this section, and any animals, vehicles or vessel under his control, may be removed with such force as is reasonably necessary by a police officer or by any officer of KMKM or by any seaman on the order of any officer of KMKM. |
| Compensation.                                     | 14. (1) Any person who suffers loss, damage or injury to property by reason of the activities under section 13 or the execution of any of the   |



duties of KMKM as provided for under section 3 shall be compensated in accordance with the Regulations.

(2) No suit or other civil proceeding shall lie against an individual seaman for the recovery of damage for loss of, or damage or injury to, or trespass upon any property by reason of execution of Section 3 and 13:

Provided that nothing in this subsection shall be construed as restricting any proceeding for the recovery of compensation in accordance with subsection (1) and the Regulations.

(3) No compensation shall be payable of the person-or persons claiming compensation-

- (a) Willful obstructed or interfered with instruction, training, exercise or campaign and the said damage, injury or trespass was occasioned when necessary reasonable force was used; or
- (b) Are found guilty of breaching the security or committing an offence against the natural resources and wealth of the State or smuggling.

15. (1) Nothing in this Decree restricts the offences for which person may be tried by any court or affects the jurisdiction of any civil court to try a member of KMKM.

Civil Court.

(2) Where a person is tried by a civil for an offence, and he has previously been sentenced by a service tribunal for any act or omission constituting whether wholly or in part) that offence, the provisions of section 132 of the Criminal Procedure Decree shall not apply, but the civil court shall in awarding punishment, have regard to any punishment imposed by the service tribunal and may pass a sentence of confinement to have effect retrospectively from a date which would take into account any period during which the person was confined pursuant to the sentence of the sentence of the service tribunal.

(3) A civil court has no jurisdiction to try any person a destro

16. Every seaman who-

Offences related to duty and training.

- (a) without orders from his superior officer, improperly destroys or damages any proper; or
- (b) steals any money or property that has been left exposed or unprotected in the consequence of training or campaigns.

shall be guilty of an offence and on conviction be liable to confinement for a term not exceeding two years.

Mutiny.

17. (1) Any seaman who-

- (a) takes part in a mutiny involving the use of violence or the threat of violence; or
- (b) incites any other seaman or any member of the Military Forces, the Police Force, the Education Center or Jeshi la Kujenga Uchumi to take part in any such mutiny, whether actual or intended,

shall be guilty of an offence and shall be liable on Conviction by the High Court to suffer death or confinement for life or any lesser period.

(2) Any seaman who, in a case not within subsection (1) of this section, takes part in a mutiny or incites any such person as is referred to in paragraph (b) of the said subsection (1) to take part in a mutiny, whether actual or intended, shall be guilty of an offence and shall be liable on conviction by the High Court to confinement for life or any lesser period.

(3) In this section "mutiny" means a combination between two or more members of the Forces or Services referred to in paragraph (b) of subsection (1) between persons at least two of whom are members of any such Force or Service-

- (a) to overthrow or resist lawful authority in any such Service or Force; or
- (b) to disobey any such authority in such circumstances as to make the disobedience subversive of discipline.

Disobedience.

18. Any seaman who-

- (a) strikes or otherwise uses violence to, offers violence to, an officer senior to or place in command over him;
- (b) use threatening or insubordinate language to any such officer;  
or
- (c) refuses to obey a lawful of any such officer,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand shilling or to confinement for a term not exceeding one year, or to both such fine and confinement.

19. Every seaman who is involved in quarrels or fights with any other seaman or who uses provoking words or gestures toward another seaman tending to cause a quarrel or disturbance, is guilty of an offence and on conviction is liable to confinement for a term not exceeding one year.

Quarrels and Disturbances.

20. (1) Any seaman who deserts form the KMKM shall be guilty of an offence and shall be liable on conviction to confinement for a term not exceeding two years.

Desertion.

(2) No person shall be found guilty of the KMKM desertion unless the court is satisfied that he intended not to return to the KMKM:

Provided that where a seaman has without lawful authority absented himself from his duties for a continuous period of six months or more the court shall, unless the contrary is proved, presume that he did not intend to return to the KMKM.

21. (1) Every seaman who absent himself without leave in guilty of an offence and on conviction is liable to confinement for a term not exceeding two years.

Absence without leave.

(2) A seaman absents himself without leave who-

(a) without authority is absent form his vessel or the place where his duty requires him to be;

(b) without authority is absent from his vessel or the place where his duty requires him to be; or

(c) having been authorized to be absent from his vessel or the place where his duty requires him to be, fails to return to that vessel or place at the expiration of the period for which his absence was authorized.

Ill-treatment of inferious.

22. Every seaman who strikes or otherwise ill-treats any other seaman who, by reason of rank or appointment is subordinate to him is guilty of an offence and on conviction is liable to confinement for a term not exceeding two years.

Drunkennes.

23. Drunkenness on the part of any seaman, whether on duty or not on duty, is an offence and every seaman convicted thereof is liable to confinement for a term not exceeding one year or to less punishment except that where the offence is committed by a seaman who is not on duty no punishment of confinement shall be imposed.

Malingering.

24. Every seaman who-

(a) malingers or feigns or produces disease or infirmity; or

(b) aggravates, or delays the cure of, disease or infirmity by misconduct or willful disobedience of orders;

is guilty of an offence and on conviction is liable to confinement for a term not exceeding one year.

Losing Stand-  
ing or  
hazarding  
vessels and  
failure to  
report.

25. Every seaman who-

(a) loses, strands or hazards, or mufflers, to be lost, stranded or hazarded any vessel of the KMKM; or

(b) having caused any of the above mentioned happening fails or neglects to report to the proper authorities within reasonable time; or

(c) during exercises, without authority take a vessel beyond the territorial waters of the United Republic of Tanzania Zanzibar.

is guilty of an offence and on conviction, if he acted willfully is liable to confinement to a term not exceeding two years, and in any other case is liable to a fine not exceeding two thousand shillings or to less punishment.

26. Every seaman who negligently performs, a service duty imposed upon his is guilty of an offence and on conviction is liable to confinement for a term not exceeding two years.

Negligent performance of duties.

27. (1) Every person who, not being a seaman of KMKM, incites, procures, counsels, aids, abets, assist or harbours a seaman who is later convicted of a service offence shall be guilty of an offence and upon conviction by the High Court shall be liable to confinement to a term not exceeding two years.

Offences by other persons.

(2) a certificate signed by the Minister that a seaman was convicted by a service tribunal is for the purposes of proceedings under this section conclusive that the seaman was so convicted.

28. the following punishments may be imposed in respect of Service offences prescribed in this Decree:-

- (a) confinement
- (b) dismissal;
- (c) reduction in rank;
- (d) fine;
- (e) reprimand; and
- (f) minor punishments,

and each of the above punishments shall be deemed to a punishment less than every punishment preceding it in the above Scale, in this Decree referred to the "Scale of punishment".

29. The Chairman, the Minister, the Chief and such other authorities as may be prescribed by the Regulations, may, where it is expedient that the Chairman or the Minister or the Chief or such other authority should be informed on any matter connected with the government, discipline, administration or function or functions of the KMKM. Or affecting any seaman or accident to any vessel, of the KMKM convene a board of inquiry for the purpose of investigating and reporting on that matter. A board of inquiry shall be constituted and its procedure conducted in accordance with the Regulation.

30. (1) The Committee may, with the approval of the Chariman, make Regulations for the better carrying out of the provisions of this Decree and for the good government, discipline, order and guidance of the KMKM and, without prejudice to the generality of the foregoing,

Regulations.

for any matter that, by this Decree, is to be or may be prescribed or provided for, or subject to regulation, by or in KMKM Regulations.

(2) without prejudice to the generality of the provisions of sub-section

(1) of this section the Committee shall make regulations on:-

- (a) any matter that, by this Decree, is to be or may be prescribed or provided for, or subject to regulation;
- (b) the establishment of the units of KMKM;
- (c) rank structure and the various ranks of the seaman;
- (d) uniforms and insignia of ranks to be worn;
- (e) pay, allowances, pensions, gratuities, disability and death gratuities;
- (f) the structure of service tribunals and the procedure to be followed;
- (g) punishments and their execution; and
- (h) procedure to be followed when a vessel is stranded or hazarded or in case of any accident.

(3) Before submitting for the approval of the Chairman any Regulation relating to pay, pensions, gratuities or allowances of seaman, any pension, gratuity or allowance payable to any other person on account of service, whether of such other person or of a seaman, with the KMKM compensation, or the expenditure of, or accounting for, public moneys, the Committee shall consult with the Minister of Finance.

Maintenance of units.

31. The units raised and maintained in Zanzibar under the authority of the Revolutionary Government of Zanzibar and under the style of the KMKM before the commencement of this decree shall with effect from the commencement of this Decree, be deemed to have been raised under this Decree.

Employment of KMKM in times of emergency.

32. (1) The Chairman may, during a state of war, insurrection, hostilities or public emergency-

- (a) call out the KMKM or any Part thereof;
- (b) order that the KMKM or any part thereof be employed to serve with the Tanzania people's Defence Forces or otherwise in the Defence of the United Republic.

(2) Where any part of the KMKM is, in pursuance of an order made under this section, serving with the Tanzania people's Defence Forces or otherwise in the Defence of the United Republic, it shall be governed by, and be subject to the National Defence Republic Act, 1966 and the members of the KMKM for the time being serving with such part shall be deemed to be subject to that Act.

Act No. 16  
of 1966

33. The Chairman may, where he considers it appropriate so to do, declare, by notice in the Gazette, KMKM or any part thereof to conduct joint exercises and manoeuvres with the Tanzania People's Defence Forces or any part thereof. Such notice shall place such part of the KMKM under the command of an officer commanding the Tanzania People's Defence Forces components.

Joint Exercises  
and  
manoeuvres.

Made at Zanzibar this 2<sup>nd</sup> day of June, 1979

**ALI SALIM AHMED,**  
**Secretary to the Revolutionary Council**