



**AN ACT TO AMEND THE VARIOUS LAWS AND
MAKE BETTER PROVISIONS THEREOF**

ARRANGEMENT OF SECTIONS

SECTIONS

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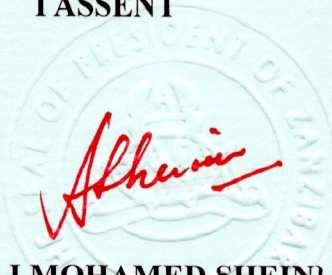
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ACT NO. 1 OF 2019

I ASSENT



{ DR. ALI MOHAMED SHEIN }
PRESIDENT OF ZANZIBAR AND CHAIRMAN OF
THE REVOLUTIONARY COUNCIL

7th May
....., 2019

AN ACT TO AMEND THE VARIOUS LAWS AND
MAKE BETTER PROVISIONS THEREOF

ENACTED by the House of Representatives of Zanzibar.

PART ONE
PRELIMINARY PROVISIONS

Short title
and
Commence-
ment.

1. This Act may be cited as the Written Laws (Miscellaneous Amendment) Act of 2019 and shall come into operation immediately after being assented to by the President.

Amendment
of
certain laws.

2. The Written Laws specified in various parts of this Act are amended in the manner specified in their respective parts.

PART TWO
AMENDMENT OF SOCIETIES ACT, NO. 6 OF 1995

Construction.

3. This part shall be read together as one with the Societies Act, No. 6 of 1995, in this Act referred to as the "Principal Act".

Amendment
of section 6.

4. Section 6 of the Principal Act is amended by deleting the words "Two Hundred Thousand Shillings" and substituting for them with the words "One Million Shillings".



Amendment
of section 7.

5. Section 7 of the Principal Act is amended in paragraph (b) by deleting the words “Two Hundred Thousand Shillings” and substituting for them with the words “One Million Shillings”.

Amendment
of section 8.

6. Section 8 of the Principal Act is amended in subsection (2) by deleting the words “Two Hundred Thousand Shillings” and substituting for them with the words “One Million Shillings”.

Addition of a
new section
9A.

7. The Principal Act is amended by adding new section 9A immediately after section 9 as follows:

Qualifications of the Registrar. “9A.(1) A person shall qualify to be appointed as a Registrar if he:

- (a) is a Zanzibari;
- (b) is a Public Servant;
- (c) holds at least first degree in the field of Public Administration, Law, Social Science or other related fields from recognized University;
- (d) has working experience of at least seven years in the fields mentioned under paragraph (c) of subsection (1) of this section.

(2) Assistant Registrar shall have the same qualifications as the Registrar.”

Amendment
of section 11.

8. Section 11 of the Principal Act is amended in subsection (1) by adding new paragraph (c) immediately after paragraph (b) and renumbering the remaining paragraphs accordingly:

“(c) Minutes of the Society which shall contain full names and signatures of the founder members;”

Amendment
of section 13.

9. Section 13 of the Principal Act is amended in subsection (1) by adding new paragraph (j) immediately after paragraph (i) as follows:

“(j) the Society operates contrary to the Zanzibar customs;”



Amendment
of section 15.

10. Section 15 of the Principal Act is amended by deleting the word “three” appearing between the word “of” and “months” and substituting for it with the word “two” .

Amendment
of section 19.

11. Section 19 of the Principal Act is amended in subsection (3) by deleting the words “Fifty Thousand Shillings” and substituting for them with the words “Four Hundred Thousand Shillings”.

Amendment
of section 24.

12. Section 24 of the Principal Act is amended in subsection (2) by deleting the words “Fifty Thousand Shillings” and substituting for them with the words “Four Hundred Thousand Shillings”.

Amendment
of section 26.

13. Section 26 of the Principal Act is amended in subsection (3) by deleting the words “Fifty Thousand Shillings” and substituting for them with the words “Four Hundred Thousand Shillings”.

Amendment
of section 27.

14. Section 27 of the Principal Act is amended in subsection (2) by deleting the words “Fifty Thousand Shillings” and substituting for them with the words “Four Hundred Thousand Shillings”.

Amendment
of section 29.

15. Section 29 of the Principal Act is amended in subsection (4) by deleting the words “Fifty Thousand Shillings” and substituting for them with the words “Four Hundred Thousand Shillings”.

Amendment
of section 40.

16. Section 40 of the Principal Act is amended as follows:

- (a) in subsection (2) by deleting the words “Fifty Thousand Shillings” and substituting for them with the words “Four Hundred Thousand Shillings”;
- (b) in subsection (5) by deleting the words “Fifty Thousand Shillings” and substituting for them with the words “Four Hundred Thousand Shillings”

Amendment
of section 45.

17. Section 45 of the Principal Act is amended in subsection (1) by deleting the words “Fifty Thousand Shillings” and substituting for them with the words “Four Hundred Thousand Shillings”.



Addition of
a new
section 58A.

18. The Principal Act is amended by adding new section 58A immediately after section 58 as follows:

Repeal of section 2(1) (c) of Act No.12 of 2012. "58A. Section 2(1) (c) of the Business Registration Act No.12 of 2012 is hereby repealed".

**PART THREE
AMENDMENT OF THE DRUGS AND PREVENTION
OF ILLICIT DRUGS TRAFFIC ACT NO. 9 OF 2009**

Construction.

19. This part shall be read together as one with the Drugs and Prevention of Illicit Drug Traffic Act No. 9 of 2009, in this Act referred to as the "Principal Act".

Amendment
of section 4.

20. Section 4 of the Principal Act is amended in subsection (2) by:

(a) adding new one member in the existing list in paragraph (k) immediately after paragraph (j);

“(k) the Minister responsible for Women and Children Affairs.”

(b) renumbering paragraph (k) to (q) accordingly.

Amendment
of section 13.

21. Section 13 of the Principal Act is amended by deleting the words “or a fine of Forty Millions Shillings or both such fine and imprisonment”.

Addition of
a new
section 13A.

22. The Principal Act is amended by adding new section 13A immediately after section 13 as follows:

"Prohibition of processing and possession of chemical precursors. **13A.** A person who unlawfully processing or is found in possession of chemical precursors commits an offence and upon conviction, shall be liable to a fine of Five Million Shillings or to imprisonment for a term of fifteen years or both fine and imprisonment".



Amendment
of section 15.

23. Section 15 of the Principal Act is amended:

(a) In subsection (1):

- (i) In paragraph (b) by changing the punishment in sub paragraph (i) by deleting the words “an imprisonment which shall not be less than fifteen years and to a fine of not less than Twenty Millions Shillings” and substituting for them the words “life imprisonment”;
- (ii) Putting the punishment in paragraph (c) directly and shall be read as follows:

“(c) smokes, inhales, sniffs or otherwise uses any narcotic drug or psychotropic substance commits an offence and upon conviction shall be liable to imprisonment for the term of not more than two years or to a fine of not exceeding Two Million Shillings”.

- (b) In subsection (2) by deleting reference to paragraph “(c)” in the list and the reference from paragraph “(d)” shall remain accordingly.

Amendment
of section 16.

24. Section 16 of the Principal Act is amended by:

- (a) deleting subsection (1) and substituting for it the following new subsection (1):

“(1) Any person who in contravention of any provision of this Act or any Rule or order made or permit issued under this Act, possesses a small quantity of any narcotic drug or psychotropic substance shall, notwithstanding anything contained in this part, commit an offence:

- (b) deleting the word “Commission” in subsection (2) which appears at the end of this subsection and substituting for it the word “Minister”.

Amendment
of section 19.

25. Section 19 of the Principal Act is amended by:

- (a) deleting the words “a fine of not less than Thirty Millions Shillings and to imprisonment for a term of not less than ten years” and substituting for them the words “life imprisonment and fine of not less than One Billion Shillings”.
- (b) rectifying the error in cross reference “16” to be read “15”.



Amendment
of section 47.

26. Section 47 of the Principal Act is amended by deleting subsection (4) and substituting for it the following new subsection (4):

“(4) In proceedings for an offence against this Act, a certificate of analysis as prescribed in this Act from a designated analyst signed by him shall be conclusive evidence of the matters stated in the certificate relating to a substance.”

Addition of a
new section
60A.

27. The Principal Act is amended by adding new section 60A immediately after section 60 as follows :

"Prevention
of offence,
security for
keeping
peace and
good
behavior.

60A. (1) A Magistrate, upon receiving complaint or information on oath against any person suspected to be involved in drug offences, may require the suspected person to show cause why he should not be ordered to execute a bond with surety to be of good behavior for such period not exceeding two years as the Magistrate thinks fit.

(2) In exercising the powers conferred to a Magistrate under subsection (1) of this section, the provisions of section 60 to section 74 of the Criminal Procedure Act shall apply".

Addition of a
new section
57A.

28. The Principal Act is amended by adding new section 57A immediately after section 57 as follows:

"Application
of the
Anti-Money
Laundering
and Proceeds
of Crime
Act.

57A. Notwithstanding any provision under this Act, the provisions of Parts IV, V and VI of the Anti-Money Laundering and Proceeds of Crime Act may apply with the necessary modification in respect to confiscation under this Act".

Addition of a
new section
57B.

29. The Principal Act is amended by adding new section 57B immediately after section 57A as follows:

"Application
for restrain
order.

57B. Where there are reasonable grounds to believe that any person has committed a specified offence and investigation has commenced in relation to it, the Director of Public Prosecutions may apply to the Court for a restraint order in respect of all or any of the property of the person in accordance with the provisions of the Anti-Money Laundering and Proceeds of Crime Act".



PART FOUR
AMENDMENT OF THE STATE UNIVERSITY OF ZANZIBAR
ACT, NO. 8 OF 1999

Construction. **30.** This part shall be read as one with the State University of Zanzibar Act, No. 8 of 1999 in this part referred to as the Principal Act.

Amendment
of section 57. **31.** Section 57 of the Principal Act is amended in subsection (1) by adding new paragraph (e) immediately after paragraph (d) as follows:

"(e) the Kizimbani Agricultural Training Institute Act, No. 5 of 2007".

PASSED by the House of Representatives of Zanzibar on 6th February, 2019.

.....
(RAYA ISSA MSELLEM)

Clerk of the House of Representatives of Zanzibar.



SHERIA NAMBA 1 YA 2019

NIMESAINI

**{DKT. ALI MOHAMED SHEIN}
RAIS WA ZANZIBAR NA MWENYEKITI
WA BARAZA LA MAPINDUZI**

....., 2019

**SHERIA YA MAREKEBISHO YA SHERIA MBALI MBALI NA
KUWEKA MASHARTI BORA NDANI YAKE**

IMETUNGWA na Baraza la Wawakilishi la Zanzibar.

**SEHEMU YA KWANZA
MASHARTI YA AWALI**

Jina fupi
na kuanza
kutumika.

1. Sheria hii itajulikana kama Sheria ya Marekebisho ya Sheria mbali mbali ya 2019 na itanza kutumika mara tu baada ya kusainiwa na Rais.

Marekebisho
ya Sheria
mbali mbali.

2. Sheria zilizotajwa katika sehemu mbali mbali za Sheria hii zinarekebishwa kwa namna zinavyoelezwa katika sehemu husika .

**SEHEMU YA PILI
MAREKEBISHO YA SHERIA YA JUMUIYA NAM. 6 YA 1995**

Kusomwa.

3. Sehemu hii itasomwa pamoja na Sheria ya Jumuiya Nam. 6 ya 1995, katika Sheria hii itajulikana kama “Sheria Mama”.

Marekebisho
ya kifungu
cha 6.

4. Kifungu cha 6 cha Sheria Mama kinarekebishwa kwa kufuta maneno “Shilingi Laki Mbili” na kuweka badala yake maneno “Shilingi Milioni Moja”.