



## **PRESIDENTIAL FLAG AND THE SEAL OF THE PRESIDENT ACT, 2004**

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**ACT NO. 10 OF 2004**

**I ASSENT**

*[Signature]*

**{AMANI ABEID KARUME}  
PRESIDENT OF ZANZIBAR  
AND**

**CHAIRMAN OF THE REVOLUTIONARY COUNCIL**

*12 NOVEMBER 04.*  
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**AN ACT TO PROVIDE FOR PRESIDENTIAL FLAG AND  
SEAL OF THE PRESIDENT AND TO CONTROL AND  
REGULATE THE USE OF THE PRESIDENTIAL  
FLAG AND SEAL OF THE PRESIDENT**

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ENACTED by the House of Representatives of Zanzibar.

**PART I  
PRELIMINARY PROVISIONS**

Short title and commencement. 1. This Act may be cited as the Presidential Flag and the Seal of the President Act, 2004 and shall come into operation immediately upon being assented to by the President.

Interpretation. 2. In this Act unless the context otherwise requires:-

"Likeness" includes a photographic or pictorial reproduction, a sketch, a painting or any other form of reproduction or representation whatsoever and of any size or shape whatsoever;



"Minister" means the Minister responsible for President's Office and Chairman of the Revolutionary Council;

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

"Presidential Flag" means a flag of the description specified in the First Schedule to this Act;

"Seal of the President" means a seal of the design specified in the Second Schedule to this Act.

## **PART II** **PRESIDENTIAL FLAG**

Presidential  
Flag.

3. There shall be a Presidential Flag which shall be of the description specified in the First Schedule to this Act.

Effective date of  
use of  
Presidential  
flag.

4. The Presidential Flag shall and shall be deemed to have been the Presidential Flag with effect from 12<sup>th</sup> day of January, 1985.

Use of the  
Presidential  
flag.

5. The Presidential Flag shall be used only by the President in such places where there are no restrictions under the law or practice regarding the use of Flags.

Powers of  
Minister to  
make  
regulations.

6. The Minister may make regulations for the better carrying out of the purposes and provisions of this Act in relation to the use of the Presidential Flag.





Modification of  
Presidential  
flag.

7. The House of Representatives may, by law amend or modify the Presidential Flag.

### **PART III**

#### **SEAL OF THE PRESIDENT**

Seal of the  
President.

8. There shall be a Seal of the President which shall be of the design specified in the Second Schedule to this Act.

Effective date of  
use of Seal of  
the President.

9. The Minister may, by notice published in the Gazette, appoint effective date of the use of the Seal of the President.

Custody of the  
Seal of the  
President.

10.(1) The President may appoint a person holding office in the service of the Revolutionary Government of Zanzibar to be the Custodian of the Seal of the President and may give directions as to the manner in which it shall be kept.

(2) In default of any such appointment, the President shall be the custodian of the Seal of the President.

Authentication.

11. Wherever the Seal of the President is affixed to any document or other thing, the affixation shall be authenticated by the signature of the President.

### **PART IV**

#### **OFFENCES AND PENALTIES**

Unlawful use of  
Presidential  
flag, Seal of the  
President or any  
likeness thereof.

12.(1) No person shall use the Presidential Flag, the Seal of the President or any likeness of the Presidential Flag or of the Seal of the President -

(a) as a trade mark for an article sold or offered for sale;



- (b) in furtherance of or as an advertisement for any trade, business, industry, calling or profession;
- (c) on any article, either attached thereto or reproduced thereon, which is sold, offered for sale or intended to be sold;
- (d) on any article, either attached thereto or reproduced thereon, which is used by any person otherwise than for a purpose approved by the Minister.

(2) The Minister may, by writing under his hand, exempt any person or class of persons or any article or category of articles from any or all of the provisions of sub-section (1) of this section, subject to such terms and conditions as the Minister may think fit to impose.

Insulting the Presidential flag or Seal of the President.

13. Any person who does any act or utters any word or publishes any writing with intent to insult or bring into contempt or ridicule the Presidential Flag or the Seal of the President or of any likeness thereof shall be guilty of an offence.

Penalties.

14. Any person who contravenes the provisions of sections 12 and 13 of this Act shall be guilty of an offence and shall, be liable on conviction to a fine not exceeding one million shillings or to imprisonment for a term not exceeding five years or both such fine and imprisonment.

Consent of Director of Public Prosecutions.

15. No person shall be prosecuted for an offence under this Act without the consent in writing of the Director of Public Prosecutions.



**FIRST SCHEDULE  
( Made Under Section 3 )**

A rectangular flag of green colour; surrounded with ribbon of golden colours; with an insertion of the Public Seal of the Zanzibar Revolutionary Government bearing letter "R" of the following design :



**SECOND SCHEDULE  
( Made Under Section 8 )**



**PASSED in the House of Representatives  
on the 6<sup>th</sup> day of October, 2004.**

*KK Chande*  
{KHAMIS JUMA CHANDE}  
**CLERK OF THE HOUSE OF REPRESENTATIVES**