



THE ZANZIBAR SWAHILI COUNCIL ACT, 2004

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ACT NO. 4 OF 2004

I ASSENT

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

CHAIRMAN OF THE REVOLUTIONARY COUNCIL

3rd JUNE,

....., 2004

**AN ACT TO REPEAL THE ZANZIBAR SWAHILI COUNCIL AND
TO ESTABLISH A NEW ZANZIBAR SWAHILI COUNCIL AND
TO PROVIDE BETTER PROVISIONS AND
OTHER MATTERS CONCERNED THEREWITH**

ENACTED by the House of Representatives of Zanzibar.

Short title and commencement. 1. This Act may be cited as the Zanzibar Swahili Council Act, 2004 and shall come into operation on such a date as the Minister may by notice in the Gazette appoint.

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

 "Council" means the Zanzibar Swahili Council established under section 3 of this Act;



"Executive Secretary" means the Executive Secretary of the Council appointed under section 8 of this Act;

"Member" means a Member of the Council;

"Minister" means the Minister for the time being responsible for Council;

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

Establishment of the Council

3.(1) There is hereby established a Council to be known as the Zanzibar Swahili Council (herein after referred to as the Council) which also be known in acronym as BAKIZA.

(2) The Council shall be a body corporate with perpetual succession and may sue and be sued in its corporate name and the right of holding, purchasing or disposing of the property, movable or immovable.

Composition of the Council.

4. The Council shall consist of the following members:

- (a) a Chairman who shall be appointed by the President;
- (b) a Vice-Chairman who shall be appointed by the members among themselves;
- (c) other members who shall be appointed by the Minister as follows:
 - (i) two members from the Ministry of Education one of whom from Pemba and the other from Unguja;
 - (ii) one member from Institute of Swahili and Foreign Languages;



- (iii) one member from each Region of Zanzibar;
- (iv) one member from the House of Representatives;
- (v) one member from Tanzania Swahili Council (BAKITA);
- (vi) one member from Department of Information;
- (vii) a woman member from Ministry responsible for Women and Children Development;
- (viii) one member from "Taasisi ya Uchunguzi wa Kiswahili" (TUKI) University of Dar-es-Salaam;
- (ix) one member from Zanzibar Arts Council;
- (x) one member from Non-Governmental Organization.

Tenure of member.

5.(1) The tenure of office of the member shall be three years save that he can be re-appointed for another term of three years.

(2) Any member of the Council, may anytime, resign if he submits his resignation in writing to the Minister and he shall cease to be a member when the Minister accepted the resignation.

(3) The Minister may, at anytime, terminate the appointment of any member if he fails to do or discharge his functions or physical or mental illness.

(4) For the purposes of this section, a member does not include the chairman and Executive Secretary.



(5) If any member fails to attend more than three consecutive meetings without prior consent of the chairman shall cease to be a member.

Functions of the Council.

6. The functions of the Council shall be:
- (a) to promote and encourage the development and usage of the Swahili Language throughout Zanzibar and the United Republic of Tanzania in general and outside Tanzania in particular;
 - (b) to encourage the use of Swahili in the conduct of official business and other public sector generally;
 - (c) to cooperate with other authorities concerned in establishing standard and acceptable Swahili translations of scientific and technical terms;
 - (d) to regularly publish a Swahili newspaper or magazine for the purpose of promoting the usage and development of the Language and its literature;
 - (e) to provide services to the Government, public authorities, Swahili writers and authors with the aim of furtherance of the use and development of the language;
 - (f) to encourage the achievement of high standards in the use of Swahili;
 - (g) to discourage the misuse of Swahili or any Swahili words by institutions or individual, which have not been approved by the Council;
 - (h) to co-operate with other bodies within Zanzibar or within the United Republic of Tanzania or outside with the promotion, development and usage of Swahili and to co-ordinate their activities;



- (i) in co-operate with the publishers to assist writers to write correct Swahili;
- (j) to initiate Swahili writing competitions;
- (k) in co-operation with the Ministry of Education, to approve Swahili text books written for and intended for use in educational institutions before they are published;
- (l) to approve the Swahili research done by any Institution;
- (m) to do any other matter relating to the functions of the Council.

Meeting of the Council.

7.(1) The Council shall meet in its ordinary meeting not less than four times a year, but the chairman may, at any time if need arises, call and convene a special meeting.

(2) The quorum for any meeting of the Council shall be half of the members including the chairman.

(3) The meeting of the Council shall be chaired by the chairman and on his absence the vice-chairman, shall chair the meeting.

(4) Any decision of the Council shall be passed by the majority vote of the members present and if the votes tie the chairman shall have the decisive vote.

(5) Subject to the provision of this Act, the Council may formulate its own procedure to regulate its functions.

Executive Secretary of the Council.

8.(1) There shall be an Executive Secretary of the Council who shall be appointed by the President.

(2) A person shall be qualified to be appointed as Executive Secretary if he has the following qualifications:



- (a) a holder of University Degree relating to Swahili Language; or
- (b) a holder of Advanced Diploma of Swahili Language and experience in the promotion of Swahili Language of not less than five years.

(3) The term of office of the Executive Secretary shall be three years but he may be re-appointed for another term of three years.

The functions of the Executive Secretary.

9.(1) The functions of the Executive Secretary shall be as follows:

- (a) to execute the day to day functions of the Council;
- (b) to keep records of all meetings of the Council;
- (c) in consultation with the chairman, to convene meetings of the Council;
- (d) to do any other function prescribed by the Council relating to the activities of the Council.

(2) The Executive Secretary shall be the Secretary and spokesman of the Council.

Qualification of the chairman.

10. No person shall be qualified to be a chairman unless he has the following qualifications:

- (a) a holder of University Degree relating to Swahili Language; or
- (b) a holder of Advanced Diploma of Swahili Language and experience in the promotion of Swahili Language of not less than five years.



Resignation of the chairman and Executive Secretary.

11. The chairman or Executive Secretary may, at anytime, resign by giving a written notice to the President, and shall cease to be the chairman or Executive Secretary once his resignation has been accepted by the President.

Funds of the Council.

12. The funds of the Council shall be:

- (a) all money approved by the House of Representatives from government budget;
- (b) revenue from various sources and fees collected by the Council;
- (c) donation and loan approved by the Minister

Committees of the Council.

13.(1) There shall be the following committees of the Council:

- (a) the committee of Linguistics and Translation;
- (b) the committee of Literature and Culture;
- (c) the committee of Terminologies and Standardization; and
- (d) the committee of Editorial and Publication.

(2) The Council may establish any other committees and appoint their members if the need arises with the approval of the Minister.

The functions of the committees.

14.(1) The functions of the Linguistics and Translation Committee shall be as follows:

- (a) to administer the use of standard Swahili in the society;
- (b) to prepare program of competition relating to the work of linguistics in Zanzibar;



- (c) to provide means to honour works and writers of old and new generation for the purpose of honouring, protecting and providing award and gift;
 - (d) to give admission, approval, permission and interpretation of words and its use in Swahili Language;
 - (e) to inform public media of Zanzibar whenever it receives any question relating to Swahili Language should be submitted to the Council for explanation;
 - (f) to listen and watch media for the purposes of detecting the proper use of Swahili Language;
 - (g) to recommend to the Council for authentication of Swahili translation from other languages;
 - (h) to receive works, songs, poem which have been translated into Swahili from other origin and to submit them to the Council for approval;
 - (i) to prepare and administer radio and television programmes;
 - (j) to detect mistakes and misuse of the language;
 - (k) to organize workshops, symposium, discussion and seminars depending on the Council's budget;
 - (l) to conduct research of linguistics and translation whenever need arises.
- (2) The functions of the Literature and Culture committee shall be as follows:
- (a) to advise the Government on the reference of literature books used in Schools, Institutions, Public and Private Universities;



- (b) to inspect the subjects and books used for literature in schools, educational institutions, Public and Private Universities;
 - (c) to ensure that the subjects of literature are not abusing, disgusting, affecting or discriminating any gender;
 - (d) to provide understanding of literature to the society;
 - (e) to examine the strength and weakness, correctness and mistake of writing of literature;
 - (f) to inform public and individual who possesses literature work to submit them to the committee for inspection and advice;
 - (g) to organize seminar, teaching by way of giving papers and lectures to various people;
 - (h) to conduct literature and cultural research in various areas as needed.
- (3) The functions of the Terminologies and Standardization committee shall be as follows:
- (a) to supervise the preparation of dictionary as the Minister may direct;
 - (b) to create new terminologies and correct the existing ones which are used without observing phonology, morphology, syntax or semantics and other form of the society;
 - (c) to encourage the activities of developing the Swahili Language in general and in particular to give interpretation of the difference between the words terminology, standard language, colloquial, standardization and their sources and vocabularies;



- (d) to make inspection of language in schools particularly in primary, secondary and university level, and find out whether these concepts are well explained;
- (e) to ensure that the language used in the offices, and official functions are standard language;
- (f) to encourage the proper use of language in the Government Institutions including official speeches and speeches of the House of Representatives;
- (g) to meet with language professionals and indigenous of Unguja, Pemba and the coastal area of East Africa to find out the variation of meaning of words and their usage;
- (h) to make research of terminologies of words in various areas when need arises and with regard to the development of society, science and technology.

(4) The functions of the Editorial and Publication Committee shall be as follows:

- (a) to publish booklet and brochures for the purpose of publicizing the Council;
- (b) to encourage writers and readers of all levels and ages to write papers which can be used in those publications.

Members of a committee.

15.(1) The members of the Council shall be also the members of committees prescribed in section 13 of this Act.

(2) The Council may invite members of the committee from outside the Council.



(3) The Council shall provide a number of members for each committee and the procedures for its meetings.

Employment of staff.

16. The Council may employ staff as may be necessary to execute the functions of the Council.

Reports.

17.(1) The Council shall submit to the Minister, every year:

- (a) the report of the activities of the Council;
- (b) audited report of revenue and expenditure of the Council.

(2) Notwithstanding the provision of subsection (1) of this section, the Minister may require the Council to give the activities report of revenue and expenditure report for any period of the year.

Regulations.

18. The Minister may make regulations for the better implementation of this Act.

Repeal of Act No. 7 of 1983.

19.(1) The Zanzibar Swahili Council Act, No. 7 of 1983 is hereby repealed.

(2) Notwithstanding the repeal of Act No. 7 of 1983 any order or anything done under the repealed Act shall be deemed to be done under this Act.

PASSED in the House of Representatives on the 1st day of April, 2004.

Khamis Juma Chande

KHAMIS JUMA CHANDE

CLERK OF THE HOUSE OF REPRESENTATIVES