

AN ACT TO REPEAL THE FISHERIES ACT, NO. 7 OF 2010 AND TO ENACT THE FISHERIES DEVELOPMENT AND MARINE CONSERVATION AUTHORITY ACT FOR MANAGING, DEVELOPING AND CONSERVING FISHERIES AND MARINE RESOURCES AND OTHER MATTERS CONNECTED THEREWITH

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SCHEDULE

ACT NO. 4 OF 2026

I ASSENT

{DR. HUSSEIN ALI MWINYI}
PRESIDENT OF ZANZIBAR AND CHAIRMAN OF
THE REVOLUTIONARY COUNCIL

19/05
....., 2026

AN ACT TO REPEAL THE FISHERIES ACT, NO. 7 OF 2010 AND TO ENACT THE FISHERIES DEVELOPMENT AND MARINE CONSERVATION AUTHORITY ACT FOR MANAGING, DEVELOPING AND CONSERVING FISHERIES AND MARINE RESOURCES AND OTHER MATTERS CONNECTED THEREWITH

ENACTED by the House of Representatives of Zanzibar.

PART ONE
PRELIMINARY PROVISIONS

Short title and commencement.

1. This Act may be cited as the Fisheries Development and Marine Conservation Authority Act, 2026 and shall come into operation upon being assented to by the President.

Application.

2.This Act shall apply to all matters relating to management and development of fisheries, aquaculture and marine conservation in Zanzibar.

Interpretation.

3. In this Act, unless the context otherwise requires:

"aquaculture infrastructure" includes fish cages, fish traps, fish hatcheries, fish breeding facilities, fishponds, seaweed farms, sea cucumber farms and all other related facilities for aquaculture initiatives;

"aquaculture" means cultivation or practice of breeding, rearing and harvesting of aquatic flora and fauna in marine or fresh water environment;

"aquatic flora and fauna" means all forms of aquatic plants and animals kingdoms;

"artisanal fisheries" means the fisheries involving foot fishers and vessel that are less than twelve meters;

"Authority" means the Fisheries Development and Marine Conservation Authority established under the provisions of section 4(1) of this Act;

"beach seine" means a method of fishing that uses a fishing net or encircling fishing gear composed of a piece or pieces of nets less than two inches mounted between two ropes, and may also be attached with plant leaves, tree branches, rags, bags, or palm leaves, whose method of operation involves pulling of such net or gear towards the beach, sandbank, shallow waters area or onboard fishing vessel through pulling ropes;

"biodiversity" means the variability among living organisms from all sources including, terrestrial, marine and other aquatic ecosystem and the ecological complex of which they are part;

"contaminated fish" means a fish caught by either explosive, poison or other noxious or chemical substances that can cause food poisoning;

"conservation" means the care and protection of the coastal and marine resources so that they can provide services for current and future generation;

"delevelopment" means the act or process of advancing, growing, or improving a fishery, project, resource so that it reaches a higher stage or yields greater returns;

"Director General" means the Director General appointed under section 13(1) of this Act;

"fisher" means a person who engaged in fishing activities for the purpose of obtaining food or conducting a fishing business or other marine resources;

"fishing" means a catching of fish or other aquatic animals from their natural habitats;

"fisheries activity" means any activity involves in the harvesting of fish including catching or aquaculture, searching for fish, processing, boat maintenance,

transportation to market and any other activities that involve along fisheries value chain;

"fishing port" means a fishing harbor with facilities for fish landing, unloading, processing, storing and marketing;

"fish product" means any product obtained by fish processing intended for use as human food, animal feed or raw material in the manufacture of other commodities of commercial or ornamental value;

"fishing vessel" means a boat or other aquatic craft used or designed for the purpose of fishing, processing or transporting fish or fish product;

"fishing net" means a device made of thread or other material used to surround, catch or trap fish that is mounted on ropes or frames to keep meshes open;

"industrial fisheries" means fisheries involving vessel above twenty-four meters;

"internal waters" means any area of the sea that are on land ward side of the baseline of territorial sea;

"landing site" means a location for first point of landing fish, fish product or aquatic flora products and provide a place where fishers may leave their boats and obtain supplies such as food, fuel and ice;

"Marine Conservation Areas" means any area declared to be a Marine Conservation Area under section 44(1) of this Act;

"marine ecosystem" means complex of living organisms in the ocean environment;

"marine resources" means resources found in the ocean;

"mesh" means the opening or space in a net or trap encircled by threads, wire or pruned stick;

"Minister" means the Minister responsible for fisheries and marine conservation;

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

"product of aquatic flora or fauna" means anything made out of, or composed wholly or partly of any aquatic flora or fauna;

"rare threatened or endangered species" means aquatic plants or animals including some varieties of corals and sea shells in danger of extinction as provided under the fishery laws and Convention of the International Trade of Endangered Species of Flora and Fauna;

"small-scale fisheries" means the fisheries using vessels that are above twelve meters and less than twenty four meters;

"Territorial waters" means the water within the area extending across the sea to a distance of twelve nautical miles measured from low water coastal line of Zanzibar.

PART TWO
ESTABLISHMENT OF THE AUTHORITY

Establishment of the Authority.

4.-(1) There is established an Authority to be known as the Fisheries Development and Marine Conservation Authority.

(2) The Authority shall be a body corporate with perpetual succession with a common seal and shall, by its corporate name, subject to the laws, be capable of:

(a) suing or being sued;

(b) acquiring, holding, purchasing or disposing movable or immovable property;

(c) entering into contract or any transaction;

(d) borrowing or lending any such some of money; and

(e) performing or doing any action which the body corporate may be entitled to perform or do.

Seal and logo of the Authority.

5.-(1) There shall be a common seal and logo of the Authority in a shape and size as may be determined by the Board.

(2) The application of the seal and logo of the Authority on any document shall be authenticated by the signature of the Director General or any other officer of the Authority authorized by the Director General.

(3) Any document purporting to be an instrument issued by the Authority shall be sealed with a seal of the Authority and authenticated in accordance with the provisions of subsection (2) of this section.

Functions of the Authority.

6.-(1) The Authority shall be responsible to promote sustainable fisheries, aquaculture and marine conservation.

(2) Without prejudice to the provisions of subsection (1) of this section, the Authority shall have the functions, to:

(a) manage and develop sustainable fisheries and aquaculture practice;

(b) register aquaculture infrastructure;

(c) regulate, conserve and manage marine conservation area, special area, fisheries replenishment zone and coastal and marine biodiversity;

(d) regulate and promote sustainable use of fisheries and aquaculture resources, quality control and value addition;

(e) issue license and permit for fishing and aquaculture activities, and activities conducted within marine conservation areas;

(f) promote and manage marketing of fisheries and aquaculture products across value chain;

(g) coordinate the proper conservation and sustainable use of coastal and marine resources;

(h issue guidelines on proper management of fisheries, aquaculture and marine conservation;

(i) propose research areas to the relevant institutions for research related to fisheries, aquaculture and marine conservation;

(j) cooperate with other institution at national, regional and international or to the local community on fisheries and aquaculture governance and coastal marine conservation;

(k) promote and conserve traditional fisheries management practices; and

(l) perform any other function as may be necessary for the implementation of this Act.

PART THREE
ADMINISTRATION AND MANAGEMENT OF THE AUTHORITY

Establishment and composition of the Board.

7.-(1) There shall be a Board of Directors of the Authority which shall be composed of:

(a) Chairperson who shall be appointed by the President;

(b) Director General;

(c) State Attorney from Attorney General's Chambers;

(d) one representative from:

(i) Ministry responsible for fisheries and marine conservation;

(ii) Zanzibar Fisheries and Marine Resources Research Institute;

(iii) an Institute or Association from private sector relating to fisheries or marine conservation; and

(iv) Fisheries Association.

(2) Members under subsection (1) (c) and (d) of this section shall be appointed by the Minister in consultation with heads of relevant institutions based on their experience, professionalism and gender.

Qualifications of the Chairperson.

8. A person shall qualify to be appointed as Chairperson of the Board if that person has:

(a) at least first degree from an institution recognized by the Government;

(b) working experience of at least seven years and high level of competence to manage effectively affairs of the public or private bodies; and

(c) high level of integrity

Secretary of the Board.

9.-(1) The Board shall appoint a staff of the Authority to be a Secretary of the Board.

(2) A person shall qualify to be a Secretary of the Board if that person has:

(a) at least first degree in the field of law or qualified corporate secretary from the institution recognized by the Government; and

(b) working experience of not less than five years.

(3) The Secretary of the Board shall be accountable to the Board, and shall:

(a) in consultation with the Chairperson, prepare the agenda of the meeting of the Board;

(b) take accurate minutes of the meetings of the Board;

(c) maintain the correct and sufficient records of the Board;

(d) give proper notifications of the meetings of the Board to the members; and

(e) perform any other function as may be assigned by the Board.

Functions of the Board.

10. The functions of the Board shall be, to:

(a) issue strategic guidance to the Authority;

(b) oversee the general administration and performance of the Authority;

(c) review and approve guidelines, plans, objectives and appropriate work targets of the Authority;

(d) determine the strategies or policies governing the operations of the Authority; and

(e) perform any other functions for the implementation of this Act.

Powers of the Board.

11. The powers of the Board shall be to:

(a) direct the Director General to furnish any information, reports or other document which the Board considers necessary;

(b) give lawful directions to the Director General relating to the management and performance of the Authority;

(c) make Financial Regulations and Staff Regulations;

(d) approve budget of the Authority;

(e) approve fees and charges;

(f) recommend the organizational structure of the Authority;

(g) recruit staffs of the Authority in accordance to the provisions of the Public Service Act, No. 2 of 2011; and

(h) issue guidelines for proper implementation of the provisions of this Act.

Proceedings of the Board.

12. The provisions relating to the proceedings of the Board shall be as prescribed in the Schedule of this Act.

Appointment of Director General.

13.-(1) There shall be Director General of the Authority who shall be appointed by the President.

(2) A person shall qualify to be appointed as the Director General, if that person has:

(a) at least first degree in the field of fisheries, aquaculture, marine sciences, environmental sciences or any other related field from the institution recognized by the Government;

(b) working experience of at least seven years; and

(c) high level of integrity.

Functions of the Director General.

14.-(1) The Director General shall be a Chief Executive Officer of the Authority and shall be responsible for day to day activities, performance and management of the Authority.

(2) Without prejudice to the provisions of subsection (1) of this section, the Director General shall:

(a) oversee the implementation of the objectives, policies and regulations of the Authority and report to the Board;

(b) manage the finances and assets of the Authority in accordance with the relevant laws;

(c) supervise and control the discipline of the staff of the Authority;and

(d) perform any other function necessary for the effective implementation of this Act as directed by the Board.

Departments, units and divisions.

15.-(1) The Authority shall establish departments, units or divisions as may deem necessary in accordance with the provisions of the Public Service Act, No. 2 of 2011.

(2) The heads of department and unit shall be appointed by the Board based on their qualifications and experience.

(3) The heads of divisions shall be appointed by the Director General based on their qualifications and experience.

(4) The heads of department, units and divisions shall be accountable to the Director General.

Staff of the Authority.

16. The Authority may employ staff of the Authority in accordance with provisions of the Public Service Act, No. 2 of 2011.

PART FOUR
MANAGEMENT AND DEVELOPMENT OF FISHERIES

Fisheries management and development plans.

17.-(1) The Authority shall prepare and review plans for the fisheries management and development.

(2) The plans shall indicate the state of fisheries, the objectives to be achieved and the management, development and licensing measures to be applied, including the amount of fishing, to be allocated to fishing vessel.

(3) The Authority shall, in the preparation of each fisheries management and development plan, consult with the local fisherman and other persons affected by the such plan.

(4) The Authority shall, where applicable, consult with fisheries management authorities particulary those that use shared common fishing grounds or deal with migratory fish to ensure the harmonization of their respective fisheries management and development plans.

(5) For the purpose of this section, "fisheries management authorities" means other fisheries authorities or institutions responsible for the management of fisheries outside Zanzibar.

Fisheries management measures.

18. The Director General in consultation with fishers may impose any of the following measures for the proper management of fisheries:

(a) regulate methods of fishing and gears, including mesh sizes of nets or traps, that may be used for fishing;

(b) regulate amount, size and other characteristics of fish that may be caught, landed or traded;

(c) declare temporary closure of designated area for species of fish, gears or methods of fishing;

(d) recommend to the Minister appropriate areas for conservation and size of a fishery; and

(e) prevent the obstruction and pollution of fishing grounds.

Designation of Authorized officers.

19.-(1) The Director General shall designate an officer from within or outside of the Authority to be an authorized officer to enforce this Act.

(2) The designation of the authorized officers from outside the Authority shall be made in consultation with the respective institution.

(3) Authorized officer designated under subsection (1) of this section may, at any time and with necessary legal assistance, with or without warrant:

(a) enter and search into premises, vehicle, aircraft, vessel or any other suspected place;

(b) take, detain, remove or secure information and evidence;

(c) seize any property which has been found in connection of violation of any provisions of this Act;

(d) arrest any person suspected to have committed an offence under this Act;

(e) take samples for testing and evidence;

(f) inquire documentation proof;

(g) remove any part from seized vehicle, aircraft, vessel or aquaculture infrastructure;

(h) inquire information from any person of interest;

(i) order removal of any pollutant, waste, or any other substance proved to be harmful to the aquatic environment; and

(j) follow up on any complaint submitted to the Authority and take action.

Fisheries Inspectors.

20.-(1) The Director General shall, by notice published in the Gazette, designate qualified officers among authorized officers to be fisheries inspectors.

(2) The Fisheries Inspectors designated under subsection (1) of this section may, at any time and with necessary legal assistance and without warrant:

(a) stop, board and inspect any vessel, its fishing gear, fishery resources, cargo, equipment, stores, documents or any other item required to be kept under this Act;

(b) enter and inspect any premise or vehicle in which he reasonably suspects that fishery resources or fishing gear are kept or transported;

(c) examine any fishing gear or equipment which is used or intended to be used in harvesting, handling or processing of fishery resources;

(d) interrogate any person who, in his opinion, may be capable of furnishing any information which he may require;

(e) require any person onboard or any premises to assist him in examining any container, fishing gear, fishery and aquaculture resources, document or any other thing in such vessel, vehicle or any other premises to ascertain compliance of this Act;

(f) prepare inspection report;

(g) give directives to the suspected to bring the vehicle, aircraft, vessel to the nearest custodian point where the offence has been committed; and

(h) follow-up on any complaint submitted to the Authority and take action.

Fisheries Observers.

21.-(1) The Director General shall designate among the authorized officers of the Authority to be fishery observers.

(2) The fisheries observer designated mentioned under subsection (1) of this section shall:

(a) collect, record and report accurate information relating to fisheries and aquaculture for the purpose of conservation, management and compliance including:

(i) harvest, handle and process of fish and fish products, aquaculture produce and related operations; and

(ii) transport, transshipment, storage or disposal of any fish or fish products or aquaculture produces;

(b) monitor the implementation of conservation and management measures taken pursuant to this Act; and

(c) perform such other duty as may be assigned by the Director General.

Importation and exportation of fishing gears and equipment.

22. A person who intends to import or export fishing gear or equipment shall apply for a permit to the Authority in a manner as prescribed in the regulations.

Prohibition on destructive methods, fishing gears and equipment.

23.-(1) A person who intends to conduct any fishing activity shall not:

(a) use any prohibited fishing gear, destructive equipment or method;

(b) use fishing net or trap with mesh size and type other than the minimum size and type in that area;

(c) possess any prohibited fishing gear or equipment in the vicinity of internal or territorial water;

(d) drag or trawl any type of fishing net within the internal and territorial water;

(e) use sand or any other related material that is used to support fishing net that may affect or cause destruction of marine ecosystem;

(f) use any explosive, poison or other noxious substance; or

(g) carry or have in his possession or control any explosive, poison or other noxious substance.

(2) Any person who is found to be in possession of fish, together with destructive methods, fishing gears and equipment, shall be deemed to have been engaged in illegal fishing.

(3) A person who contravenes the provisions of this section commits an offence.

(4) Notwithstanding the provisions of subsection (1)(c) of this section, where the fishing gear or equipment prohibited to be used in a certain area is being transported, it shall be stowed in a manner as prescribed in the regulations.

(5) Any explosive, poison or other noxious substance found on board any fishing vessel shall be presumed, unless the contrary intention is proved, to be used for the purposes referred to in subsection (1)(f) of this section.

(6) Where a person is found in the vicinity of internal or territorial water immediately after the explosive, poison or other noxious substance has been used, that person shall be presumed to have used such explosive, poison or other noxious substance until proved otherwise.

(7) The Authority may, by order published in the Gazette, prescribe the list of prohibited fishing gears, equipment or methods.

Probition of fishing, landing and selling of fish.

24. A person shall not:

(a) fish, land or have in his possession fish that is contaminated, proved to be contaminated or caught within an area declared to be contaminated;

(b) fish, land or have in his possession fish that is immature or of less than a minimum size for that species as prescribed by the regulations;

(c) sell, buy or receive any fish knowing or having reasonable cause to believe that, the fish has been caught in contravention of paragraph (a) or (b) of this section; or

(d) land any fish on non-designated fishing port or landing site.

Deployment of fish aggregating device or artificial reef.

25.-(1) A person may, upon the permission of the Director General, deploy fish aggregating device, artificial reef or any other material of similar nature for the purposes of fishing in the internal or territorial waters.

(2) Subject to the provisions subsection (1) of this section, the conditions for permission shall be prescribed in the regulations.

(3) A permission to deploy a fish aggregating device shall not confer any exclusive right to fish in the vicinity of the device and no person shall claim such right.

Prohibition of tampering with or destruction of fishing gear.

26.-(1) A person shall not:

(a) remove any fish from any fishing gear unless such person is the owner or is acting with the authority of the owner; or

(b) tamper with, destroy, remove or take any part of a fish aggregating device, artificial reef, mooring buoy, gear, trap or other devices which have been authorized and deployed in accordance with this Act and belongs to another person.

(2) A person who contravenes the provisions of this section commits an offence.

Traceability.

27. The Authority shall put in place mechanism to ensure traceability of fish and aquaculture products.

Promotion of artisanal, small scale fisheries and support commercial fisheries.

28.-(1) The Authority shall, in collaboration with relevant agencies, support commercial fisheries and promote and secure sustainable artisanal and small-scale fisheries.

(2) Subject to the provisions of subsection (1) of this section, the Director General shall issue guidelines for promoting and securing of small scale fisheries as well as supporting industrial fisheries in accordance with the international or regional guidelines.

Declaration of landing sites and fishing ports.

29.-(1) The Minister shall, upon recommendation of the Director General and by order published in the Gazette, declare landing sites and fishing ports.

(2) The landing sites and fishing ports under subsection (1) of this section, shall be managed and operated in a manner prescribed in the regulations.

(3) A person who lands fish at any point other than landing sites or fishing port declared under subsection (1) of this section, commits an offence.

PART FIVE
REGISTRATION OF FISHERS AND LICENSING OF FISHING VESSELS

Registration of fisheries activities.

30.-(1) A fisher or any person who intends to engage in any activities relating to fisheries shall apply for registration to the Authority subject to the procedures prescribed in the regulations.

(2) Subject to the provisions of subsection (1) of this section, the Authority shall identify categories of activities relating to fisheries.

(3) Any person who contravenes the provisions of subsection (1) of this section, commits an offence.

Fishing licenses.

31.-(1) A person or fishing vessel that intends to engage in fishing shall apply for license to the Authority subject to the procedures prescribed in the regulations.

(2) The Authority may, by order published in the Gazette, establish categories of licenses and set scales of fees on the basis of the type, size and propulsion of vessels, species of fish and other relevant factors.

(3) Licenses issued in accordance with subsection (2) of this section shall be for:

(a) industrial fishing vessels for fishing or related activities;

(b) small-scale fishing vessels for fishing or related activities;

(c) artisanal fishing vessels for commercial purposes or related activities;

(d) recreational fishing vessels or related activities;

(e) aquaculture; and

(f) such other activity within the scope of this Act.

Suspension or cancellation of a license.

32.-(1) The Director General may suspend or cancel a license where a holder of a license fails to comply with the provisions of this Act or any condition of license.

(2) Procedures and grounds for suspension or cancellation of license shall be as prescribed in the regulations.

PART SIX
MANAGEMENT OF AQUACULTURE

Registration of aquaculture infrastructure or practices.

33. A person who intends to establish an aquaculture infrastructures or practices shall apply for registration of such infrastructure or activity to the Authority subject to the procedures prescribed in the regulations.

License for operation of aquaculture practices.

34.-(1) A person who intends to operate aquaculture practices shall apply for license to the Authority subject to the procedures prescribed in the regulations.

(2) Subject to the provisions of subsection (1) of this section, the Director General shall ensure that:

(a) aquaculture development is sustainable and allows rational use of resource shared by aquaculture and other activities; and

(b) the livelihood, culture and traditions of local communities and their access to fishing ground are not affected by aquaculture activities.

(3) Any person who contravenes the provisions of subsection (1) of this section commits an offence.

Introduction, transfer and export of aquatic species and their products.

35.-(1) A person shall, subject to the permission granted by the Director General:

(a) introduce, release or cause to be introduced or released in Zanzibar aquatic ecosystems exotic species of aquatic flora and fauna;

(b) transfer any eggs, fingerlings or seeds of exotic or such adult species of the same from one aquaculture infrastructure to another or from one location to another; or

(c) export live aquatic flora and fauna, eggs or fry for the purpose of aquaculture.

(2) Any person who contravenes the provisions of subsection (1) of this section commits an offence.

(3) The permission under subsection (1) of this section shall be granted subject to the procedures prescribed in the regulations.



Aquaculture permits.

36.-(1) A person who intends to construct aquaculture infrastructure shall apply for aquaculture permit to the Authority subject to the procedures prescribed in the regulations.

(2) An aquaculture permit shall confer on the holder exclusive rights to harvest the products of the aquaculture within the area specified in the permit.

(3) An aquaculture permit shall not be transferred without the prior written consent of the Director General.

(4) Any person who contravenes the provisions of this section commits an offence.

Construction, operation and decommission of aquaculture infrastructures.

37.-(1) The aquaculture infrastructures shall be constructed and operated within areas approved by the Director General.

(2) The permit holder shall not undertake any construction of aquaculture infrastructures which obstructs:

(a) free flow of water through or adjoining the fish pens, fish cages, fish traps or fishponds;

(b) the flow of the tide to and from the area; or

(c) any other activity in a marine area.

(3) Any aquaculture infrastructure in violation of the provisions of subsection (2) of this section shall be removed at the expense of the permit holder.

(4) Subject to subsection (3) of this section, the permit holder at his own expenses shall restore damaged area that has been used for aquaculture practice.

Control of disease.

38.-(1) The Director General shall, where any aquaculture produce in any area is infected with any disease or cause negative effects to environment or other aquaculture initiatives, give a notice to the permit holder requiring the destruction of such produces or taking other measures as specified in the notice.

(2) A permit holder shall, upon receiving a notice under subsection (1) of this section, comply with the requirements set out at his own expenses.

(3) The Director General may take any necessary measure to ensure compliance of the requirement of the notice and any expenses incurred shall be recoverable from the permit holder.

Preventive measures.

39. The Director General may, by notice published in the Gazette, impose preventive measures in respect of any stock or area affected or both, as the Director General considers necessary in the circumstances satisfied that, there is:

(a) occurrence of disease;

(b) a serious decline in the abundance or reproductive potential of one or more wild stock of cultured species; or

(c) a significant adverse change in the aquatic environment.

PART SEVEN
MANAGEMENT AND QUALITY ASSURANCE OF FISH AND AQUATIC PRODUCTS

Competent authority.

40.-(1) The Authority shall be the competent authority for verifying and certifying the implementation of condutions of fisheries and aquatic products.

(2) Subject to the provisions of subsection (1) of this section, the competent authority shall:

(a) issue permit for fish processing establishments, cold rooms, ice plants, fish transportation vehicles, boats and landing sites;

(b) issue fish sanitary certificate for exportation of fish and aquatic products;

(c) issue sanitary certificate before fish and aquatic products are placed on the market to ensure their quality;

(d) register importers and exporters of fish and aquatic products;

(e) establish traceability system and labelling of fish and aquatic products;

(f) conduct risk-based surveillance through inspections of fishing vessels, factories, storage facilities, ice plants, landing sites, consignment and

any other premise along the fisheries and aquaculture value chain prior to exportation and for local consumption; and

(g) perform any other responsibility as a competent authority.

Import of live fish.

41.-(1) A person shall not import any live fish for aquaculture or ornamental purposes without the permission granted by the Authority.

(2) The Authority shall not grant permission under subsection (1) of this section, unless:

(a) the fish has been kept under observation and control for such period and on such terms and conditions as may be prescribed in the regulations;

(b) an assessment has been carried out on the environmental impact of the release of the fish by the importer; and

(c) the Authority is satisfied, on a report submitted by the importer, that the release of the live fish shall not be detrimental to the environment.

(3) The Authority may prohibit the importation of any live fish that may be detrimental to the environment, including fish species categorized as invasive, or which may pose biosecurity risks.

(4) Where the Director General has reasonable grounds to suspect that any live fish which is imported into Zanzibar is unsuitable for aquaculture or ornamental purposes, shall order the fish to be seized and disposed of.

(5) Any live fish prohibited from import shall be seized and disposed of at the point of entry, or at a quarantine facility or any other place where it is displayed or offered for sale.

(6) Notwithstanding any other enactment, the importer of any live fish which is disposed of under this section shall not be entitled to any compensation.

(7) Any person who contravenes the provisions of subsection (1) of this section, commits an offence.

Procedures for Quarantine for importation of live ornamental fish.

42.-(1) Any live ornamental fish imported into Zanzibar shall be subject to the quarantine as may be determined by the Authority in an approved quarantine facility.

(2) The Authority shall have access to carry out the post quarantine inspection of any hatchery, rearing facility or farm fishing.

(3) Where a live ornamental fish imported into Zanzibar does not pass quarantine, the live ornamental fish shall, at the expense of the importer, be destroyed in accordance with such directives as the Authority may issue.

(4) Notwithstanding any other enactment, the importer of any live ornamental fish which is disposed of under this section, shall not be entitled to any compensation.

Prohibition to dispose of or release imported live ornamental fish.

43.-(1) A person shall not dispose of or release any imported live ornamental fish in any water body.

(2) Any person who contravenes the provisions of subsection (1) of this section shall commit an offence.

PART EIGHT
MARINE CONSERVATION AND MANAGEMENT

Declaration of Marine Conservation Area.

44.-(1) The Minister may, by order published in the Gazette, declare any area within the coastal, internal or territorial waters to be a Marine Conservation Area.

(2) The area declared under subsection (1) of this section shall:

(a) be of natural scenic, scientific, historical or other important value;

(b) be necessary to properly conserve, permit access to or allow public viewing of enjoyment of an area; or

(c) have unique biodiversity hotspots, breeding sites or nursery ground for flora and fauna.

(3) Notwithstanding the provisions of subsection (1) of this section, the Minister may, declare any Marine Conservation Area or any part of a Marine Conservation Area to be a Special Area, Fisheries Replenishment Zone or an area allocated for specific use.

(4) A Marine Conservation Area shall, unless specifically provided to the contrary in the notice of declaration of such an area or General Management Plan of the area, include all submerged and dry land, inter tidal land, waters, air space and subsoil within the area described.

(5) The areas declared under the provisions of this section shall be under the supervision and management of the Authority.

Marine Conservation and Management Plan.

45.-(1) The Authority shall prepare General Management Plan whose content and process for the preparation shall be prescribed in the regulations.

(2) The Authority shall, in preparing General Management Plan, consult the community and other persons who may be affected with such plan.

(3) Each General Management Plan prepared under subsection (1) of this section shall be submitted to the Board for approval.

(4) Any activity that is not included in General Management Plan within Marine Conservation Areas shall only be done after being approved by the Director General.

Management Conservation measures.

46.-(1) There shall be management measures for Marine Area as prescribe in the regulations to ensure the sustainable conservation of the Marine Area.

(2) The Director General shall, develop, implement, monitor and enforce management measures under subsection (1) of this section.

Protection of marine ecosystems.

47.-(1) A person shall not engage in any activity that destroys marine ecosystems or any kind of vegetation, demolish, shred or take coral reefs, coral stones, sand banks or marine stones for any purposes whatsoever.

(2) A person who intends to carry out physical activities or deployment of artificial reef, equipment or any other material for any purposes within the Marine Conservation Areas shall seek permission from the Director General.

(3) For the purpose of this section, physical activities includes dredging, draining wetlands, seismic survey and construction works.

(4) The procedures, terms and conditions for granting permit under subsection (2) of this section shall be prescribed in the regulations.

Establishment of aquarium.

48.-(1) A person shall not establish aquarium without a permit from the Authority.

(2) Any person who contravenes the provisions of subsection (1) of this section commits an offence.

(3) The procedures to establish the aquarium shall be prescribed in the regulations.

Protection of endangered or protected species.

49.-(1) A person shall not, except with the permission of the Director General, catch, land, sell, deal in, transport, receive, buy, possess, import or export endangered or protected species in accordance with this section.

(2) Where a person incidentally catches any endangered or protected species, the person shall:

(a) incase such species is alive, release it and report to the Authority; and

(b) incase such species is dead, inform the Authority.

(3) Where a person finds stranded endangered or protected species whether dead or alive, shall report to the Authority.

(4) Any person who contravenes the provisions of subsection (1) of this section commits an offence.

Declaration and protection of rare, threatened or endangered species.

50.-(1) The Director General may, by order published in the Gazette, declare any of aquatic flora and fauna as rare, threatened or endangered species.

(2) The Director General shall put in place the protection measures where aquatic flora and fauna has been declared as rare, threatened or endangered species under subsection (1) of this section.

(3) The Director General may, by order published in the Gazette, issue notice where any specie declared under subsection (1) of this section ceases to be rare, threatened or endangered.

(4) A person who captures, sells or buys any specie under this section, commits an offence and shall, upon conviction be liable to a fine of not less than Five Million Shillings and not exceeding Thirty Million Shillings or imprisonment for a term of not less than five years, or to both such fine and imprisonment.

Prohibition to hunt, kill or harm marine mammals and all species of turtles.

51.-(1) A person shall not hunt, kill or harm marine mammals and all species of turtles

(2) A person who contravenes the provisions of this section commits an offence and shall, upon conviction be liable to a fine of not less than Ten Million Shillings and not exceeding Fifty Million Shillings or imprisonment for a term of not less than five years, or to both such fine and imprisonment.

Protection of special area and fisheries replenish zone.

52.-(1) A person shall not, within a special area or fisheries replenish zone:

(a) fish, hunt or capture any fish or animal or remove any egg, nest or roe;

(b) collect, remove any aquatic flora or fauna, whether live or dead, or any sand, minerals, or aquatic substrates;

(c) sell or transport any aquatic flora or fauna, or the products thereof or any sand, minerals, or aquatic substrates;

(d) be in possession of any weapon, explosive, trap or poison;

(e) engage in aquaculture;

(f) conduct any recreational fishing or other commercial activity;

(g) clear or cultivate land for any agricultural use or operation of machinery;

(h) construct or extend any building, bridge or any other work; or

(i) destroy, deface or remove any object.

(2) A person who contravenes the provisions of subsection (1) of this section commits an offence.

(3) The Director General may issue guidelines to allow any of the activities under subsection (1) of this section.

Contamination of the marine area.

53.-(1) The Director General may declare any marine area to be contaminated if such area has been polluted with harmful or poisonous substances.

(2) A person shall not directly or indirectly contaminate the marine area in any way that may cause damage to or deterioration in the quality of the marine area or marine ecosystem.

(3) For the purpose of this section, contamination of marine area includes:

(a) discharging of non-biodegradable trash or debris;

(b) discharging of a poisonous chemical or noxious substance, including oil, petroleum, solvents, metals or sewage; or

(c) doing any act that may cause damage to or deterioration in the quality of the marine area and marine ecosystem.

Requirement for permit in Marine Area.

54.-(1) A person who intends to conduct any activity or enter any vessel in Marine Area shall apply for a permit to the Authority subject to procedures prescribed in the regulations.

(2) The Director General may, by order published in the Gazette, establish categories of permits for conducting any activity in Marine areas.

(3) Without prejudice to the provisions of subsection (1) of this section, a person who intends to enter in Marine Conservation Area shall pay for entrance fee as prescribed in the regulations.

Monitoring, Control and Surveillance strategy.

55.-(1) The Director General shall develop and implement Monitoring, Control and Surveillance Strategy on internal and territorial waters.

(2) The Authority shall, in collaboration with relevant authority, carry out monitoring, control and surveillance within internal and territorial waters.

PART NINE
FINANCIAL PROVISIONS

Funds and resources of the Authority.

56.-(1) The funds and resources of the Authority shall consist of:

(a) such sum of money as may be appropriated by the House of Representatives;

(b) money received by the Authority for services rendered by the Authority;

(c) lawful grants, gifts, donations, contributions or loans as the Authority may receive from any person or institution;

(d) fees and charges collected under this Act; and

(e) any such money that may be legally acquired by the Authority.

(2) The Authority may retain certain percent of money collected as may be determined by the Minister responsible for finance.

(3) All financial transactions of the Authority shall be made and governed in accordance with the provisions of the Public Finance Management Act, No. 12 of 2016.

Budget of the Authority.

57.-(1) The Director General shall, in respect of every financial year, submit to the Board for deliberation and recommendation on detailed estimates of the income and expenditure for the Authority for the next financial year.

(2) Upon deliberation and recommendation by the Board, the budget of the Authority shall be dealt in the same manner as part of the budget of the Ministry.

(3) The estimates of income and expenditure of the Authority shall be prepared subject to the provisions of the Public Finance Management Act, No. 12 of 2016.

(4) The Director General shall ensure that all payments made by the Authority's funds are correctly made and properly authorized and adequate control is maintained over its property and over the incurring of liabilities by the Authority.

Accounts and audit.

58.-(1) The Authority shall keep and maintain proper books of accounts and records of all transaction and ensure that, all moneys received and paid by the Authority are properly accounted for.

(2) The annual financial statements of the Authority shall be audited in accordance with provisions of the financial laws and any other relevant law.

Opening of Bank Account.

59. The Authority shall, subject to the provisions of the financial laws open bank accounts for proper performance of its functions under this Act.

PART TEN
OFFENCES AND PENALTIES

Offences and penalty.

60. A person who:

(a) engages in fishing or aquaculture practices without license or permit;

(b) imports or exports aquatic flora and fauna and their products contrary to the provisions of this Act;

(c) destroys any Marine Conservation Area;

(d) engages in any activity that destroys marine area or marine ecosystem;

(e) uses, possesses or have on board fishing vessel prohibited fishing gears;

(f) deploys fish aggregating device, artificial reef or any another material of similar nature in the internal or territorial waters without the permission of the Director General;

(g) obstructs any officer in the exercise of any function conferred under this Act;

(h) prevents, interferes with, hinders or harasses a registered fisher in the conduct of his fishing activities;

(i) deprives local community an access to marine areas without reasounble cause;

(j) fishes, lands or have in his possession fish caught within an area declared to be contaminated or of less than a minimum size for that species;

(k) lands fish on non-declared fishing port or landing site; or

(l) engages in fishing or aquaculture practices without registration.

commits an offence and shall, upon conviction, be liable to a fine of not less than Three Hundred Thousand Tanzania Shillings and not exceeding Fifteen Million Tanzania Shillings or to imprisonment for a term not less than six months, or to both such fine and imprisonment.

Additional penalty.

61. Upon conviction of any person for any offence under this Act, the Court may, in addition to penalty provided by this Act, order:

(a) where any infrastructures or ecosystem has been damaged affencted or removed for the purpose to commit in the commission of an offence, such person shall pay compensation equivalent to the value of the infrastructures or ecosystem so damaged; or

(b) the property used in the commission of the offence to be confiscated or damaged.

General penalty.

62. A person who contravenes any provisions of this Act, where no specific penalty is provided for that offence commits an offence and upon conviction, shall be liable to a fine of not less than Two Hundred Thousand Shillings and not exceeding Five Million Shillings or imprisonment for a term not less than three months, or to both such fine and imprisonment.

Compounding of offence.

63.-(1) The Director General may compound an offence committed by a person under this Act or its regulations by requiring him to pay of not less that half of the fine prescribed for such offence, provided that, the person:

(a) admits that he committed an offence; and

(b) pays all his default payment under this Act.

(2) The procedures relating to compounding offence shall be prescribed in the regulations.

(3) The compounding of the offence under subsection (1) of this section, shall not be regarded as conviction for the alleged offence and provided that the default payment is paid in full, no prosecution for the alleged offence shall be instituted or maintained.

PART ELEVEN
MISCELLANEOUS PROVISIONS

Establishment of Co-Management Committees.

64.-(1) The Authority shall establish Fisheries and Marine Conservation Co-Management Committees which shall involve community members of the respective area.

(2) The scope, composition, functions and other matters related to the committees established under this section shall be prescribed under the regulations.

Register.

65. The Director General shall establish and maintain a register for fishers, aquaculture activities, license and permit issued under this Act.

Property of perishable nature.

66. Any fish or other marine resources of perishable nature, seized under this Act, may, on the directives of the Director General, be dealt in accordance with relevant laws.

Appeal.

67.-(1) Any person who is aggrieved by the decision of the Director General may appeal to the Board within fourteen days.

(2) The Board shall, after receiving an appeal under subsection (1) of this section, determine such appeal within three months.

(3) A person who is aggrieved by the decision of the Board may appeal to the Minister within fourteen days.

(4) The Minister shall, after receiving an appeal, determine such appeal within twenty-one days.

Regulations.

68.-(1) The Minister may make regulations for proper implementation of the provision of this Act.

(2) Without prejudice to the generality of the subsection (1) of this section, the Minister may make regulations on:

(a) procedures for collaborative management;

(b) procedures for application and issuance of license and permits;

(c) prohibition and regulation of the use of fishing gears and methods;

(d) management measures for sustainable conservation of the Marine Areas;

(e) the contents and the process for the preparation of General Management Plan for each Marine Conservation Area;

(f) conditions for import or export of fish or aquatic products;

(g) list of prohibited and destructive fishing gears and methods;

(h) the criteria for establishment of Special Area within the Marine Conservation Area;

(i) prohibition or restriction on capturing, collection, gathering, killing or injuring minimum size fish and contaminated fish;



(j) conditions for permission and the right to use Fish Aggregative Devices;

(k) declare fishing ports and landing sites;

(l) the specifications for fish processing establishments, cold rooms. ice plants, fish transportation vehicles, boats and landing stations;

(m) conditions under which dealers of import or export fish and fishery products; and

(n) categories of licenses and set different scales of fees thereof on the basis of the type, size and propulsion of vessels, species of fish and other relevant factors.

Repeal and saving.

69.-(1) The Fisheries Act No. 7 of 2010 is hereby repealed.

(2) Notwithstanding the repeal under subsection (1) of this section, anything done or any action taken or purported to have been done or taken under any provisions of the repealed Act, shall continue to be valid and be deemed to be done under the provisions of the Act.

SCHEDULE

PROCEEDINGS OF THE BOARD
[Made under section 12]

Vice-Chairperson.

1.The Board members shall elect one of them to be a Vice Chairperson of the Board.

Tenure of the members.

2. Save for ex-officio members the Chairperson and other members of the Board shall hold the office for a term of three years from the date of their appointment and may be eligible for re- appointment for another term only

Meetings of the Board.

3.-(1) The Board shall ordinarily meet once in every three months and may convene for extraordinary meeting at any time when need arises for the discharge of its functions.

(2) The Chairperson shall preside all meetings of the Board, and on his absence, the Vice Chairperson shall preside the meeting of the Board and if the Chairperson and the Vice-Chairperson are absent, the members present shall elect one among themselves to preside the meeting.

Quorum.

4. More than half of the total number of the members shall constitute quorum at any meeting of the Board.

Decisions of the Board.

5. Decisions of the Board shall be made by consensus, where there is no consensus, the decisions shall be made by majority vote and where there is an equal votes, the Chairperson shall have a casting vote.

Procedures of the Board.

6. Subject to the provisions of this Act, the Board shall have a power to regulate its own procedures in respect to the meetings and proper conduct of its activities.

Co-opted member.

7. The Board may co-opt any person who is not a member of the Board to attend in any deliberation of the meeting of the Board as an expert but the co-opted member shall have no right to vote.

Committees of the Board.

8. The Board may, for the purpose of facilitating the performance of its functions, establish committees to perform specific functions as may deem necessary.

Minutes of the meetings of the Board.

9.The minutes of the meetings of the Board shall be confirmed by the Board at the next meeting and signed by the Chairperson and secretary.

Delegation of the functions of the Board.

10.-(1) The Board may, if deems fit for the proper discharging of its functions, delegate some of its functions to the committee of the Board.

(2) Where the Board delegates its functions under subsection (1) of this section, it shall give directives in writing as may be necessary to ensure the proper performance of the functions.

Disclosure of the interest.

11.-(1) The member of the Board who has direct or indirect personal interest in a matter being considered or about to be considered by the Board shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest, at the begining of the meeting of the Board.

(2) A disclosure of interest under subsection (1) of this section, shall be recorded in the minutes of the meeting and the member making such disclosure shall not:

(a) be present during the deliberation of the Board for the making of the determination; and

(b) influence any other member in the making the determination

Cessation of membership.

12. The member shall cease to hold office upon the occurrence of the following:

(a) resignation;

(b) if is absent without reasonable excuse for three consecutive meetings of the Board;

(c) if he becomes incapacitated to perform his duties by reasons of physical or mental health;

(d) if he ceases to be a representative of the institution which nominated that member;

(e) if he is terminated by the Minister where he does not meet the expectation of the Authority; or

(f) death.

Allowances of the members of the Board.

13. The Chairperson and other members of the Board shall be entitled to be paid such allowances in accordance with the Public Service Act, No. 2 of 2011.

PASSED by the House of Representatives of Zanzibar on 15th September, 2026.

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(HASSAN ALI HAJI)

Clerk of the House of Representatives of Zanzibar.