

THE THIRD CONSTITUTIONAL (AMENDMENT)
ACT, 1990.

ARRANGMENT OF SECTIONS.

SECTION:

1. Short title and commencement.
2. Interpretation.
3. Amendment of section 34.
4. Amendment of section 72.
5. Amendment of section 118.

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ACT NO. 5 OF 1990

I ASSENT

Idris Abdul Wakil

IDRIS ABDUL WAKIL
PRESIDENT OF ZANZIBAR
AND
CHAIRMAN OF THE REVOLUTIONARY COUNCIL.

27th July, 1990

AN ACT TO AMEND THE ZANZIBAR CONSTITUTION,
1984.

ENACTED by the House of the Representatives
Zanzibar.

Short title
and
commencement.

1. This Act may be cited as the Third Constitutional (Amendment) Act, 1990 and shall be read as one with the Constitution and shall come into operation immediately upon being assented by the President.

Interpretation.

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

"the Constitution" means the Constitution of Zanzibar, 1984;

"Party" means the Chama cha Mapinduzi;

"the President" means the President of Zanzibar.

Amendment of
section 34.

3. Section 34 of the Constitution is hereby amended by repealing paragraphs (a) and (b) of subsection (2) and substituting the following paragraphs-

- "(a) when occasion arises for election of the President of Zanzibar, subject to subsection (1) of this section the Central Committee of the National Executive Committee of the Party, shall meet and recommends a name of a person who is a Zanzibari and who has attained the age of not less than forty years to stand as Presidential candidate for election of the President of Zanzibar;
- (b) the name of the person recommended by the Central Committee of the National Executive Committee of the Party pursuant to the provisions of paragraph (a) of this subsection shall be submitted before the National Executive Committee of the Party which shall then meet and finally approve or disapprove a presidential candidate in the election of the President of Zanzibar in accordance with the provisions of this section".

Amendment of section 72. 4. Section 72 of the Constitution is hereby amended by -

- (a) deleting the words "Mahkama Kuu" which appear in section 72 and replaced with the words "Tume ya Uchaguzi".
- (b) deleting the words "Majaji wasiopungua watatu" which appear in subsection (2) and substituted for them the following "Zaidi ya nusu ya Wajumbe".

Amendment of section 118. 5. Section 118 of the Constitution is hereby amended by repealing subsection (1) and substituting the following new subsection (1) -

"(1) There shall be established a Commission to be known as the Electoral Commission of Zanzibar.

- (a) the composition and function of the Commission shall be as provided for by the Constitution and the legislation enacted by the House of the Representatives;
- (b) the House of the Representatives may enact legislation and provide for provisions related to administration and supervision of the election of the Members of the House of Representatives and Local Government authorities and for hearing and determining election petitions related to their constituencies."

PASSED in the House of Representatives
on the 4th day of July, 1990.

Khande

KHAMIS JUMA CHANDE
CLERK TO THE HOUSE OF REPRESENTATIVES
OF ZANZIBAR.