



**THE ZANZIBAR FLAG, PUBLIC SEAL, ZANZIBAR
NATIONAL ANTHEM AND SPECIAL ANTHEM ACT, 2017**

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ACT NO. 2 OF 2017

I ASSENT

Alhemini

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

28th March, 2017

AN ACT TO REPEAL THE PUBLIC SEAL ACT NO. 1 OF 1985
AND THE ZANZIBAR FLAG ACT NO. 12 OF 2004 AND ENACT
A LAW TO PROVIDE FOR BETTER PROVISIONS RELATING
TO THE ZANZIBAR FLAG, THE PUBLIC SEAL, ZANZIBAR
NATIONAL ANTHEM AND SPECIAL ANTHEM ACT OF 2017
AND OTHER MATTERS CONNECTED THERETO

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 Zanzibar Flag, Public Seal, Zanzibar National Anthem and Special Anthem Act, 2017 and shall come into force on a date as the Minister may, by notice published in the Gazette, appoint.

Interpretation.

2. In this Act unless the context otherwise requires:

“Likeness” includes a photographic or pictorial reproduction, a sketch, scripts or tunes, a painting or any other form of reproduction or representation whatsoever and of any size or shape whatsoever or any manner contrary to this Act;

“Minister” means the Minister responsible for Zanzibar Flag, Public Seal, Zanzibar National Anthem and Special Anthem Affairs.

“Public Seal” means the coat of arm of the Revolutionary Government of Zanzibar as prescribed in section 3 (1) of Constitution of Zanzibar of 1984, in this Act it is known as Public Seal.

“President” means the President of Zanzibar and Chairman of the Revolutionary Council;



“Special Anthem” has the meaning as prescribed under section 12 of this Act;

“Zanzibar Flag” means the Zanzibar flag as prescribed in the Section 3 of this Act;

“Zanzibar National Anthem” means the national Anthem of Zanzibar referred to under Section 9 of this Act.

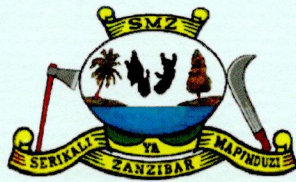
PART TWO ZANZIBAR FLAG

Zanzibar Flag. **3.** There shall be a Zanzibar Flag which shall be of the description as specified in the first Schedule of this Act.

Uses of the Zanzibar Flag. **4.** The Zanzibar Flag shall be used in such places where there are no restrictions under the law regarding the use of flags and other areas which the Minister shall publish in the Gazette.

Unlawful use of Zanzibar Flag. **5.** A person shall not use the Zanzibar flag or any of its likeness:

- (a) as a trade mark for any article sold or offered for sale;
- (b) on any article either attached thereto or reproduced thereon, which is sold, offered for sale or intended to be sold or offered for sale;
- (c) on any article, either attached thereto or reproduced thereon which is used by any person otherwise than for a purpose approved by the Minister;
- (d) in furtherance of or as an advertisement for any trade, business, industry or profession;
- (e) as political party Logo;
- (f) as decorative or artistic element;
- (g) over printed with word or images; or
- (h) in any manner or place prohibited by the laws.



PART THREE PUBLIC SEAL OF THE REVOLUTIONARY GOVERNMENT OF ZANZIBAR

Public Seal.

6.(1) There shall be a Public Seal as prescribed under section 3 (1) of the Zanzibar Constitution of 1984.

(2) The Public Seal shall be and shall be deemed to have been the public seal of the Revolutionary Government of Zanzibar and shall be used for the purpose of the Government only.

(3) The Public Seal shall have description as specified in the Second Schedule of this Act.

Uses of
Public Seal.

7. The Public Seal shall be used in such places where there are no restrictions under the law.

Unlawful use
of Public Seal.

8. A person shall not use the Public Seal or any of its likeness:

- (a) as a trade mark for any article sold or offered for sale;
- (b) on any article either attached thereto or reproduced thereon, which is sold, offered for sale or intended to be sold or offered for sale;
- (c) on any article, either attached thereto or reproduced thereon which is used by any person otherwise than for a purpose approved by the Minister;
- (d) in furtherance of or as an advertisement for any trade, business, industry or profession.
- (e) as political party Logo;
- (f) as decorative or artistic element;
- (g) over printed with word or images; or
- (h) in any manner or place prohibited by the laws.

PART FOUR ZANZIBAR NATIONAL ANTHEM

Zanzibar
National
Anthem.

9.-(1) There shall be a Zanzibar National Anthem which shall be of the description as specified in the third Schedule of this Act.

(2) The National Anthem under subsection (1) of this section, shall be in the form of text or music or both.



Uses of the
Zanzibar
National
Anthem.

10. The Zanzibar National Anthem shall be used in such places where there are no restrictions under the law regarding the use of Zanzibar National Anthem.

Unlawful use of
the
Zanzibar
National
Anthem.

11. A person shall not use the Zanzibar National Anthem:

- (a) to alter its origin;
- (b) in furtherance of or as an advertisement for any trade, business, industry or profession; or
- (c) to sing and use it in those places prohibited by the law.

PART FIVE SPECIAL ANTHEM OF LIBERATION AND HONORING HEROES

Special
Anthem.

12.-(1) There shall be the Special Anthem of liberation and honoring heroes of Zanzibar which shall be of the description as specified in the fourth Schedule of this Act.

(2) The Special Anthem shall be used to encouraging the sense of patriotism for Zanzibar and shall be sung in all Schools in Zanzibar and other places which shall be specified in this Act or any other law.

(3) Other uses and tones shall be as specified in the Regulations.

Unlawful
use of Special
Anthem.

13. A person shall not use the Special Anthem:

- (a) to alter its origin;
- (b) in furtherance of or as an advertisement for any trade, business, industry, calling or profession; or
- (c) to sing and use it in those places prohibited by the law.



PART SIX OFFENCES AND PENALTIES

Insulting
the
Zanzibar flag.

14. A person who does any act or alters any word or publishes any writing with intent to insult or bring into contempt or ridicule the Zanzibar Flag or its likeness commits an offence, and upon conviction shall be liable to a fine of not less than one million and not more than ten million Tanzania Shillings or to imprisonment for a term not less than one year and not more than five years or to both such fine and imprisonment.

Insulting the
Public Seal.

15. A person who does any act or alters any word or publishes any writing with intent to insult or bring into contempt or ridicule the Public Seal or its likeness commits an offence, and upon conviction shall be liable to a fine of not less than one million and not more than ten million Tanzania Shillings or to imprisonment for a term of not less than one year and not more than five years or to both such fine and imprisonment.

Insulting the
Zanzibar
National
Anthem.

16. A person who does any act or alters any word or publishes any writing, sing or make rhythm of it with intent to insult or bring into contempt or ridicule the National Anthem or its likeness commits an offence, and upon conviction shall be liable to a fine of not less than one million and not more than ten million Tanzania Shillings or to imprisonment for a term of not less than one year and not more than five years or to both such fine and imprisonment.

Insulting the
Special
Anthem.

17. A person who does any act or alters any word or publishes any writing, or sing or make rhythm of it with intent to insult or bring into contempt or ridicules the Special Anthem or its likeness commits an offence, and upon conviction shall be liable to a fine of not less than one million and not more than ten million Tanzania Shillings or to imprisonment for a term of not less than one year and not more than five years or to both such fine and imprisonment.

General
Penalty.

18. A person who contravenes any provisions of this Act the penalties of which are not specified, shall be liable to a fine of not less than five hundred thousands and not more than five million Tanzania Shillings or to imprisonment for a term of not less than six months and not more than three years or to both such fine and imprisonment.

Power of the
Minister to
remove or
reduce
conditions.

19.-(1) The Minister may, remove or reduce any of conditions under sections 5, 8, 11 and 13 of this Act subject to such terms and conditions as the Minister may deem fit to impose, and by writing under his hand, exempt any person or group of persons or any article or category of articles from any or all, subject to the provisions of this Act.

(2) A person who contravenes the terms or conditions under subsection (1) of this section, commits an offence and upon conviction shall be liable to a fine of not less than five hundred thousand and not more than five million Tanzania Shillings or to imprisonment for a term of not less than one year and not more than five years or to both such fine and imprisonment.



PART SEVEN MISCELLANEOUS PROVISIONS

Power of
Minister to
make
Regulations.

20.-(1) The Minister may make regulations for the better carrying out of the purposes and provisions of this Act.

(2) Without prejudice to the general power of the Minister under subsection (1) of this section, the Minister may make regulations specifically in matters relating to:

- (a) specification of size, colour and ratio of the Zanzibar Flag and Public Seal;
- (b) specification of note, tones of the Zanzibar National Anthem and Special Anthem;
- (c) prescribing the users of Zanzibar Flag, Public seal, Zanzibar National Anthem and Special Anthem;
- (d) prescribing the occasions upon display of Zanzibar Flag and Public seal;
- (e) dignity and respect of the Zanzibar Flag, Public seal , Zanzibar National Anthem and Special Anthem;
- (f) use of Zanzibar Flag and Public Seal on and in Government and private buildings;
- (g) use of Zanzibar Flag and Public Seal in Special Departments' Uniforms;
- (h) use of Zanzibar Flag, Public Seal , Zanzibar National Anthem and Special Anthem by sport bodies;
- (i) placement of Zanzibar Flag and Public Seal on official documents and publications;
- (j) Zanzibar Flag and Public Seal protocol;
- (k) use of Zanzibar Flag, Public Seal, Zanzibar National Anthem and Special Anthem in public and private Schools;
- (l) searching and arresting;
- (m) Eletronic communication instruments;
- (n) placing Zanzibar Flag and Public Seal with other Governments' Flag and Public Seal;



- (o) placing Zanzibar Flag and Public Seal in company with non National Flag and Public Seal;
- (p) parade and ceremonies;
- (q) half masting;
- (r) printing and production; and
- (s) issue of disposal.

(3) The Minister shall not exercise the power conferred under subsection (2) (a) and (b) of this section, without approval of the Revolutionary Council.

Repeal and
Saving.

21.-(1) The Public Seal Act No. 1 of 1985 and the Zanzibar Flag Act No. 12 of 2004 are repealed.

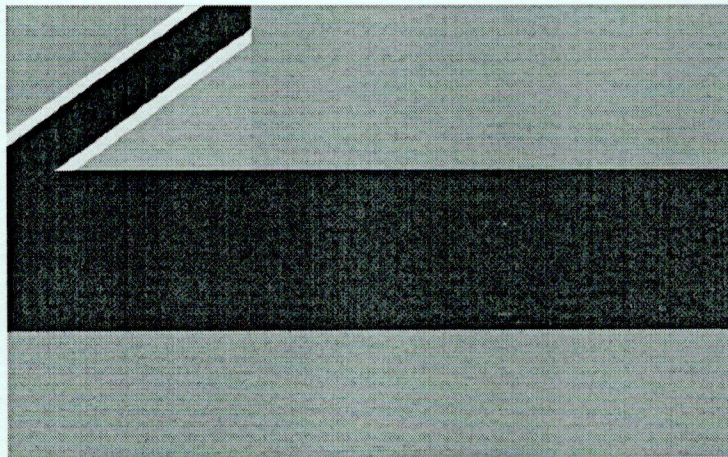
(2) Notwithstanding the repealed Acts under sub-section (1) of this section, anything done or action taken under the provisions of the repealed Acts, shall be deemed to have been done under the provisions of this Act.



FIRST SCHEDULE
{Made Under Section 3}

FLAG OF ZANZIBAR

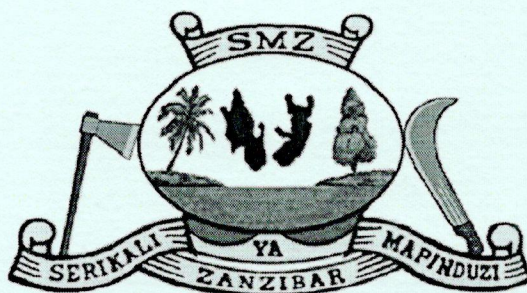
A rectangular flag is divided into three equal portions horizontally; the bottom portion is green (signifying the land of Zanzibar), the middle portion is black (signifying the colour of the people of Zanzibar) and the top portion is light blue (signifying the sea and sky surrounding Zanzibar); with an insertion of the Tanzania National Flag at the top of the left hand corner. The flag also includes white strip at left from top to bottom of the following design (signifying peace).



SECOND SCHEDULE
{Made Under Section 6}

PUBLIC SEAL

The Public Seal of Zanzibar consists of an oval shape which bears a coconut tree on left and clove tree on the right, the two Islands of Zanzibar (Unguja and Pemba) on the center of the oval, piece of land and Sea underneath the trees. A crown on top of the oval with words “SMZ” inscribed on it. Supporting the oval is an axe on the left side and Machete on right side. Below there shall be a base holding the Oval, Axe and Machete with words “SERIKALI YA MAPINDUZI ZANZIBAR”





THIRD SCHEDULE
{Made Under Section 9}

THE ZANZIBAR NATIONAL ANTHEM

God has blessed us all, Unguja and Pemba.

We applaud those who have brought the Republic.

God has blessed us all, Unguja and Pemba.

FOURTH SCHEDULE
{Made Under Section 12}

SPECIAL ANTHEM

All of us we have got a freedom, for our brothers who died.
Who fought for our country, for the purposes of getting freedom.
We will never forget in our life, for the lives they have sacrificed.

Our brothers have lost their lives, for fighting of our country.
They have sacrificed their lives, for the protection of our nation.
For the lives they have lost, we will never forget in our life.

Those are our truly teachers, who have sacrificed.
And we will never turn back, we shall proceed forward.
For protecting our nation, we all sacrifice our lives.

Passed by the House of Representatives of Zanzibar on 17 February, 2017.

{ RAYA ISSA MSELLEM }
CLERK OF THE HOUSE OF REPRESENTATIVES
ZANZIBAR