



**AN ACT TO AMEND VARIOUS LAWS AND MAKE
BETTER PROVISIONS THEREOF**

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ACT NO. 6 OF 2023

I ASSENT



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

07 November, 2023

**AN ACT TO AMEND VARIOUS LAWS AND MAKE
BETTER PROVISIONS THEREOF**

ENACTED by the House of Representatives of Zanzibar.

**PART ONE
PRELIMINARY PROVISIONS**

Short title
and commen-
cement.

1. This Act may be cited as the Written Laws (Miscellaneous Amendment) Act, 2023 and shall come into operation immediately after being assented to by the President.

Amendment
of certain
Laws.

2. The Written Laws specified in various parts of this Act are amended in the manner specified in their respective parts.

**PART TWO
AMENDMENT OF THE ANTI MONEY LAUNDERING AND
PROCEEDS OF CRIME ACT, NO. 10 OF 2009**

Construction.

3. This Part shall be read as one with the Anti Money Laundering and Proceeds of Crime Act, No. 10 of 2009, where in this Part referred to as “the Principal Act”.

Amendment
of section 2.

4. Section 2 of the Principal Act is amended by deleting the interpretation of the word “terrorism financing” and whenever it appears and substituting it with the new interpretation of the word “terrorist financing” in its alphabetical order as follows:



“terrorist financing” means:

- (a) the provision of finance or economic resources or making available financial or related services to:
 - (i) a terrorist, terrorist group, terrorist entity, terrorist course or terrorist act; or
 - (ii) an individual, a group or entity that is concerned with a terrorist, terrorist group, terrorist entity, terrorist course or a terrorist act;
- (b) conducting a financial transaction or facilitating a financial transaction directly or indirectly, in order to deal with a property owned or controlled by a terrorist, terrorist group or terrorist entity;
- (c) conducting a financial transaction or facilitating a financial transaction directly or indirectly, in order to deal with a property on behalf of a terrorist, terrorist group or terrorist entity;
- (d) financing or facilitating travel of any individual or a group of individuals to a country other than their country of residence or nationality in order to participate in a terrorist course, terrorist training or terrorist act or in order to directly or indirectly conduct, perpetrate, plan or prepare terrorist acts;
- (e) organizing or directing other persons to commit any of the act in paragraph (a), (b), (c) or (d) or participating in any of those acts as an accomplice; or
- (f) attempting to commit any of the acts in paragraphs (a), (b), (c), (d) or (e).”

Amendment
of section
10C.

5. Section 10C of the Principal Act is amended by:

- (a) repealing subsection (2) and replacing it with a new subsection (2) as follows:

“(2) The reporting person shall, when conducting a customer due diligence:

 - (a) take and verify information on the ultimate beneficial owners of a legal person, entity or arrangement; and



- (b) in case of a politically exposed person, conduct normal due diligence as provided under this Act and be required to:
 - (i) have appropriate risk management systems to determine whether the customer is a politically exposed person;
 - (ii) obtain senior management approval for establishing business relationship with such customer;
 - (iii) take reasonable measures to establish the source of wealth and fund; and
 - (iv) conduct an enhanced ongoing monitoring on that relationship.”
- (a) adding a new subsection (3) immediately after subsection (2) as follows:

“(3) A reporting person may, subject to the conditions prescribed in the Regulations, rely on customer due diligence conducted by another reporting person.”

PART THREE

AMENDMENT OF THE ZANZIBAR ENVIRONMENTAL MANAGEMENT ACT, NO. 3 OF 2015

Construction. **6.** This Part shall be read as one with the Zanzibar Environmental Management Act, No. 3 of 2015, where in this Part referred to as “the Principal Act”.

Amendment
of section
2. **7.** Section 2 of the Principal Act is amended by adding the interpretation of new words in their alphabetical order as follows:

“Biosafety” means avoidance of risk relating to the protection of the environment and human and animal health as a result of research and commercial of genetically modified organisms;

“Carbon Trading” means buying and selling or transferring of verified or certified carbon emission, reductions and removals in accordance with the recognized International Carbon Standards;

“Genetically Modified Organism” means any organism that poses a novel combination of genetic materials obtained through the use of modern biotechnology techniques;



“Gene Editing” means the alteration of the genetic materials of a living organism by inserting, replacing or deleting a deoxyribonucleic acid sequence with the aim of improving some characteristics of a crop, animal or correcting a genetic disorder;

“Modern biotechnology” means modern biotechnology techniques for the manipulation of genetic material and the fusion of cells beyond normal breeding barriers.

Addition of a new section 64A.

8. The Principal Act is amended by adding a new section 64A immediately after section 64 as follows:

“Management of Genetically Modified Organisms.

64A.-(1) A person who intends to handle, import or export genetically modified organisms or products thereof or gene editing shall be required to apply for a permit to the Minister according to the procedures prescribed in the Regulations made under this Act.

(2) A person who handles, imports or exports genetically modified organisms or products thereof shall be under general obligation to ensure that such organisms do not harm, cause injury or loss to the environment and human or animal health including socio-economic, cultural and ethical concern.

(3) 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 Tanzanian Shillings and not exceeding Fifty Million Tanzanian Shillings or imprisonment for a term of not less than one year and not exceeding ten years or both such fine and imprisonment.”

Addition of a new section 69A.

9. The Principal Act is amended by adding a new section 69A immediately after section 69 as follows:

“Measures on climate change.

69A. The Minister shall, in consultation with relevant Ministries:

- (a) take measures to address climate change, particularly the impacts of climate change and adaptation measures;
- (b) issue guidelines periodically to ministries and any other institutions in order to address



climate change and its impacts as of result of global warming;

- (c) require ministries and independent departments to put in place strategies and action plans to deal with climate change as well as schools and higher learning institutions to include matters of climate change in their curriculum;
- (d) review and approve any measures undertaken to address climate change by any institution, firm, sector or individuals be it local or foreign, including those related to the use of land, water, forests or any other ecosystems within Zanzibar to sequester greenhouse gases; and
- (e) coordinate carbon trading activities.”

Repeal and replacement of section 86.

10. Section 86 of the Principal Act is repealed and replaced with a new section 86 as follows:

“Regulations.

86.-(1) The Minister may make Regulations for the better implementation of the provisions of this Act.

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

- (a) coastal zone management;
- (b) sustainable management of non-renewable natural resource;
- (c) environmental impact assessment;
- (d) strategic impact assessment;
- (e) biodiversity;
- (f) biosafety;
- (g) climate change;



- (h) management of carbon trade;
- (i) pollution prevention and waste management;
- (j) water resource management; and
- (k) any other issues related to environment.”

PART FOUR
AMENDMENT OF THE OIL AND GAS (UPSTREAM)
ACT, NO. 6 OF 2016

Construction. **11.** This Part shall be read as one with the Oil and Gas (Upstream) Act, No. 6 of 2016, where in this Part referred to as “the Principal Act”.

Amendment
of section
32. **12.** Section 32 of the Principal Act is amended by:

- (a) deleting the words “upstream activities of the petroleum and gas sector” between the words “in the” and “on behalf” appearing in subsection (1) and substituting them with the words “petroleum activities”; and
- (b) adding the words “and any other law” at the end of subsection (2).

Amendment
of section 36. **13.** Section 36 of the Principal Act is amended by:

- (a) designating section 36 to be 36(1);
- (b) deleting the words “for a” between the word “granted” and “period” appearing in subsection (1) and substituting them with the words “up to the”; and
- (c) adding a new subsection (2) immediately after subsection (1) as follows:

“(2) Notwithstanding the provisions of subsection (1) of this section, the Authority may, for public interest and proper implementation of the provisions of this Act, extend the duration of reconnaissance permit where it deems necessary.”

Amendment
of section 49. **14.** Section 49 of the Principal Act is amended by adding a new subsection (5) immediately after subsection (4) as follows:



“(5) Notwithstanding the provisions of this section, the Minister may, after the approval of the Revolutionary Council, engage in a direct negotiation with any company for the award of respective area after dully submission of an application and demonstration of financial and technical competence.”

Amendment
of section 101.

15. Section 101 of the Principal Act is amended by:

- (a) deleting the words “as prescribed in the Second Schedule” appearing at the end of subsection (1) and substituting them with the words “to the Government in accordance with the petroleum agreement after the approval of the Revolutionary Council”; and
- (b) deleting the words “as prescribed in the Second Schedule” appearing at the end of subsection (3) and substituting them with the words “in accordance with the petroleum agreement after the approval of the Revolutionary Council.”

**PART FIVE
AMENDMENT OF THE COMPANIES
ACT, NO. 15 OF 2013**

Construction.

16. This Part shall be read as one with the Companies Act, No. 15 of 2013, where in this Part referred to as “the Principal Act”.

Amendment
of section 2.

17. Section 2 of the Principal Act is amended by adding the interpretation of new words in their alphabetical order as follows:

“beneficial owner” has the meaning as ascribed to it under the Anti Money Laundering and Proceeds of Crimes Act, No. 10 of 2009;

“competent authority” has the meaning as ascribed to it under the Anti Money Laundering and Proceeds of Crimes Act, No. 10 of 2009;

“politically exposed person” has the meaning as ascribed to it under the Anti Money Laundering and Proceeds of Crimes Act, No. 10 of 2009.”

Amendment
of section 14.

18. Section 14 of the Principal Act is amended by:

- (a) designating section 14 to be 14(1);
- (b) adding a new subsection (2) immediately after subsection (1) as follows:



“(2) Subject to the provisions of subsection (1) of this section, the memorandum of association shall be delivered with a statement in the prescribed form containing:

- (a) full name and address or registered office of the person or persons being:
 - (i) the first director or directors of the company; and
 - (ii) the first secretary or joint secretaries of the company and in case of a first director or directors, particulars of any other directors held during the five years preceding the date on which the statement is delivered to the Registrar;
- (b) accurate and up to date records of beneficial owners of such company which shall include:
 - (i) full name, including any former or other name;
 - (ii) date and place of birth;
 - (iii) telephone number;
 - (iv) nationality, Zanzibar Resident Identity Card number, National Identity Card number or passport number;
 - (v) residential, postal and email address (if any);
 - (vi) place of work and position held;
 - (vii) nature of the interest including the details of the legal, financial, security, debenture or informal arrangement giving rise to the beneficial ownership; and
 - (viii) oath or affirmation as to whether the beneficial owner is a politically exposed person”.

Amendment
of section
90.

19. Section 90 of the Principal Act is amended by adding new subsections (4) and (5) immediately after subsection (3) as follows:

“(4) A share warrant shall not be issued or transferred by delivery of the warrant unless with the approval of the Registrar.



(5) The Registrar shall maintain records of share warrants issued or transferred under this Act.”

Amendment
of section
116.

20. Section 116 of the Principal Act is amended by:

- (a) adding a new subsection (2) immediately after subsection (1) as follows:

“(2) A company shall, in the register referred to under subsection (1), make entries of information as provided under section 14 of this Act.”

- (b) renumbering subsections (2), (3) and (4) to be subsections (3), (4) and (5) respectively; and

- (c) adding a new subsection (6) immediately after subsection (5) as follows:

“(6) Where there is a change in the beneficial ownership of the company, the company shall give notice to the Registrar within thirty days of such change.”

Addition of a
new section
116A.

21. The Principal Act is hereby amended by adding a new section 116A immediately after section 116 as follows:

“Register of
beneficial
owners.

116A.-(1) The Registrar shall establish and maintain a register of beneficial owners in which shall be entered:

- (a) information provided in accordance with section 116(2) of this Act; and
- (b) information relating to a legal person which includes:
- (i) name of body corporate;
 - (ii) address of Head office;
 - (iii) identity of directors, shareholders and beneficial owners;
 - (iv) proof of incorporation or evidence of legal status and legal form; and



- (v) such other information necessary to determine the ownership and control of the legal person.

(2) The information on the beneficial owners of a company held by the Registrar in the register of beneficial owners shall be accessible by the competent authority.”

Addition
of a new
section
130A.

22. The Principal Act is amended by adding a new section 130A immediately after section 130 as follows:

Records of
beneficial
owner.

130A.-(1) A company which has a beneficial owner, shall make entries of information of beneficial owner in its register as specified under section 14(2)(b) of this Act.

(2) Subject to the provisions of subsection (1) of this section, the company shall submit annually to the Registrar, the records of its beneficial owners.”

Addition
of a new
section
258A.

23. The Principal Act is amended by adding a new section 258A immediately after section 258 as follows:

“Submission
of information
of beneficial
ownership.

258A.-(1) A company incorporated under this Act, before 1st day of October, 2023 shall, within six months from 1st day of October, 2023, comply with the requirement of section 14(2)(b) of this Act.

(2) The Minister may, by notice published in the Gazette, extend the period of complying with the requirement stipulated under subsection (1) of this section.”

PART SIX AMENDMENT OF THE ZANZIBAR CONDOMINIUM ACT, NO. 10 OF 2010

Construction.

24. This Part shall be read as one with the Zanzibar Condominium Act, No. 10 of 2010, where in this Part referred to as “the Principal Act”.

Amendment
of section 2.

25. Section 2 of the Principal Act is amended by deleting the interpretation of the words “Board”.

Repeal and
replacement
of section
5.

26. Section 5 of the Principal Act is repealed and replaced with a new section 5 as follows:



“Appointment
of Registrar

5.-(1) There shall be a Registrar of Condominium who shall be appointed by the Minister.

(2) A person shall qualify to be appointed as a Registrar of Condominium if that person:

- (a) has at least first degree in law from the institution recognized by the Government;
- (b) has an experience of not less than three years in matters relating to condominium; and
- (c) has high level of integrity”.

Amendment
of section 8.

27. Section 8 of the Principal Act is amended by deleting the word “Board” in subsection (3) and substituting it with the word “Minister”.

Amendment
of section
16.

28. Section 16 of the Principal Act is amended by:

- (a) deleting the words “the Board or” in subsection (1)(b) and substituting it with the word “Registrar”; and
- (b) deleting the word “Board” in subsection (4) and substituting it with the word “Registrar”.

Amendment
of section
24.

29. Section 24 of the Principal Act is amended by deleting the word “Board” in subsection (2) and (3) and substituting it with the word “Registrar”.

Repealing
of Part Five
and section
45.

30. Part Five and section 45 of the Principal Act are amended as follows:

- (a) Repealing Part Five and section 45 of the Principal Act.
- (b) Renumbering Part Six to be Part Five and Section 46 to be Section 45 and to follow its arrangement.

PART SEVEN AMENDMENT OF THE ZANZIBAR GOVERNMENT PRINTING PRESS AGENCY ACT, NO. 12 OF 2018

Construction.

31. This Part shall be read as one with the Zanzibar Government Printing Press Agency Act, No. 12 of 2018, where in this Part referred to as “the Principal Act”.



Repeal and replacement of section 35.

32. Section 35 of the Principal Act is repealed and replaced by a new section as follows:

“Obligation of Government institutions.

35.-(1) All Government institutions shall have obligation to seek printing, stationeries and office equipment services from the Agency.

(2) When the Agency is unable to provide service referred to under subsection (1) of this section, the Executive Director may, by written notice, allow the relevant Government institution to print or procure stationeries or office equipment outside the Agency.

(3) Notwithstanding the provisions of subsections (1) and (2) of this section, the Government institutions may obtain stationeries and office equipment services from any other institution empowered by the law.

(4) Subject to the provisions of this section and the provisions of the Public Procurement and Disposal of Public Assets Act, No. 11 of 2016, all Government institutions shall follow the procurement method of single source.”

PART EIGHT
AMENDMENT OF THE ESTABLISHMENT OF THE CORPORATION
OF GOVERNMENT NEWSPAPERS ACT, NO. 11 OF 2008

Construction.

33. This Part shall be read as one with the Establishment of the Corporation of Government Newspapers Act, No. 11 of 2008, where in this Part referred to as “the Principal Act”.

Amendment of section. 5.

34. Section 5 of the Principal Act is amended in subsection (1) by:

(a) adding a new paragraph (c) immediately after paragraph (b) as follows:

“(c) provide stationery services and office equipment;” and

(b) renumbering paragraph (c) to be (d).



PART NINE
AMENDMENT OF THE ZANZIBAR ROADS FUND
ACT, NO. 2 OF 2001

Construction. **35.** This Part shall be read as one with the Zanzibar Roads Fund Act, No. 2 of 2001, where in this Part referred to as “Principal Act”.

Amendment
of section
2. **36.** Section 2 of the Principal Act is amended by:

- (a) deleting the interpretation of the words “Board” and “receiver of revenue”; and
- (b) adding interpretation of the word “Principal Secretary” at its alphabetical order as follows:

“Principal Secretary” means the Principal Secretary of the Ministry responsible for finance”.

Amendment
of section
3. **37.** The Principal Act is amended by deleting the word “Board” in section 3 and wherever it appears and substituting it with the words “Principal Secretary”.

Repeal and
replacement
of section
6. **38.** Section 6 of the Principal Act is repealed and replaced with the new section 6 as follows:

“Transfer of fund of the Fund. **6.** The Principal Secretary shall transfer all moneies collected by the Fund to the account of the Zanzibar Roads Agency for maintenance of roads in accordance with the work plan of the Zanzibar Roads Agency.”

Repeal of
Part III
and section
13. **39.** Part III and section 13 of the Principal Act are amendend as follows:

- (a) Repealing Part III and section 13 of the Principal Act;
- (b) Renumbering Part IV to be Part III and Section 14 to be Section 13 and to follow its arrangement.



PART TEN
AMENDMENT OF THE GOVERNMENT AGENCY FOR
TRACTORS AND FARM MACHINERIES SERVICES
ACT, NO. 2 OF 2019

Construction. **40.** This Part shall be read as one with the Government Agency for Tractors and Farm Machineries Services Act, No. 2 of 2019, where in this Part referred to as “the Principal Act”.

Amendment of section 4. **41.** Section 4(2) of the Principal Act is amended by repealing paragraph (a).

Amendment of section 6. **42.** Section 6 of the Principal Act is amended by:

- (a) repealing paragraph (c) and (f); and
- (b) deleting the words “technical training” in paragraph (e) appearing between the words “provide” and “to” and substituting them with the words “professional training.”

Amendment of section 25. **43.** Section 25 of the Principal Act is amended by repealing subsections (2) and (3) and replacing them with new subsections (2) and (3) as follows:

“(2) The head of department and the head of unit shall be appointed by the Board based on their related qualifications and experiences and shall be accountable to the Executive Director.

(3) The head of division shall be appointed by the Executive Director based on his related qualifications and experiences and shall be accountable to the head of the respective department.”

Amendment of section 36. **44.** Section 36 of the Principal Act is amended by deleting the words “technical services” appearing between the words “seek” and “to the Agency” in subsection (1) and substituting them with the words “professional services.”

PART ELEVEN
AMENDMENT OF THE STONE TOWN CONSERVATION AND
DEVELOPMENT AUTHORITY ACT, NO. 4 OF 2010

Construction. **45.** This Part shall be read as one with the Stone Town Conservation and Development Authority Act, No.4 of 2010, where in this Part referred to as “the Principal Act”.



Amendment
of section 4.

46. Section 4 of the Principal Act is amended by inserting the words “parking areas” between the words “open spaces” and “gardens” in paragraph (d).

Amendment
of section 6.

47. Section 6 of the Principal Act is amended by:

- (a) inserting the words “including waste management” between the words “environment” and “within” in paragraph (e); and
- (b) inserting the words “and license” between the words “permits” and “within” in paragraph (f).

PART TWELVE
AMENDMENT OF THE ZANZIBAR SOCIAL SECURITY FUND
ACT, NO. 2 OF 2005

Construction.

48. This Part shall be read as one with the Zanzibar Social Security Fund Act, No. 2 of 2005, where in this Part referred to as “the Principal Act”.

Amendment
of section
29.

49. Section 29(4) of the Principal Act is amended by deleting paragraph (b) and replacing it with a new paragraph (b) as follows:

“(b) terminated or lost employment in the circumstances except by self resignation or termination by reason of corruption, embezzlement, theft, disciplinary offences or participation in politics according to relevant laws.”

PART THIRTEEN
AMENDMENT OF THE LAND COMMISSION ACT,
NO. 6 OF 2015

Construction.

50. This Part shall be read as one with the Land Commission Act, No.6 of 2015, where in this Part referred to as “the Principal Act”.

Amendment
of section 9.

51. Section 9 of the Principal Act is amended by:

- (a) adding a new paragraph (b) immediately after paragraph (a) in subsection (1) as follows:

“(b) Executive Secretary;”
- (b) deleting the word “three” between the word “other” and “member” appearing in paragraph (e) and substituting it with the word “two”.



- (c) repealing paragraph (f); and
- (d) rearrange paragraphs (b), (c), (d) and (e) to be paragraphs (c),(d),(e) and (f) respectively.

Addition of a
new section
9A.

52. The Principal Act is amended by adding a new section 9A immediately after section 9 as follows:

“Secretary
of the
Board.

9A.-(1) The Board shall appoint a person who is staff of the Commission to be Secretary of the Board.

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

- (a) has at least first degree in law or qualify to be Corporate Secretary; and
- (b) has experience of not less than three years in public services.

(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 subject to this Act.”



PART FOURTEEN
AMENDMENT OF THE LAND ADJUDICATION ACT,
NO. 8 OF 1990

Construction. **53.** This Part shall be read as one with the Land Adjudication Act, No.8 of 1990, where in this Part referred to as “the Principal Act”.

Addition of
a new section
18A. **54.** The Principal Act is amended by adding a new section 18A immediately after section 18 as follows:

“Registration
of
adjudication.

18A.-(1) Any person who provides verified certificate of the right of occupancy or land lease agreement shall be recorded by the recording officer as the adjudicated occupier of the respective parcel of land and shall not be subjected to the procedures set out under sections 21, 22, 23, 24 and 25 of this Act.

(2) The Adjudication Officer shall verify and certify the records made in subsection (1) of this section and shall deliver an adjudication letter to the Registrar for registration as per the Registered Land Act, No.10 of 1990.”

Amendment
of section
22. **55.** Section 22 of the Principal Act is amended by deleting the word “ninety” appearing between the words “within” and “days” and substituting them with the word “thirty”.

Amendment
of
section 25. **56.** Section 25 of the Principal Act is amended by deleting the word “ninety” appearing between the words “after the expiry of” and “days” and substituting them with the word “thirty”.

PART FIFTEEN
AMENDMENT OF THE REGISTERED LAND ACT,
NO. 10 OF 1990

Construction. **57.** This Part shall be read as one with the Registered Land Act, No.10 of 1990, where in this Part referred to as “the Principal Act”.

Amendment
of section
13. **58.** Section 13 of the Principal Act is amended by inserting the words “18A and” between the words “section” and “25”.



PART SIXTEEN
AMENDMENT OF THE PUBLIC SERVICE ACT,
NO. 2 OF 2011

Construction.

59. This Part shall be read as one with the Public Service Act, No.2 of 2011, where in this Part referred to as “the Principal Act”.

Amendment
of section
65.


60. Section 65 of the Principal Act is amended by:

- (a) repealing subsection (2) and replacing it with a new subsection (2) as follows:

“(2) Any deployment exceeding one year shall be treated as a transfer for which all benefits and entitlement shall accrue except for the deployment under subsection (5) of this section”;

- (b) adding the words “and such deployment shall be treated as a leave without pay except for those who are under the Government pay roll” at the end of subsection (5).

PASSED by the House of Representatives of Zanzibar on 4th October, 2023.


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(RAYA ISSA MSELLEM)

Clerk of the House of Representatives of Zanzibar