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NOTICE

The Bill hereunder shall be presented before the House of Representatives for the first reading which will start its session on 13th September, 2023 and is gazetted together with its Objects and Reasons for public notice.

ZANZIBAR
23rd August, 2023

(Eng. Zena Ahmed Said)
***Secretary to the Revolutionary
Council and Chief Secretary***

A BILL*for***AN ACT TO REPEAL KADHI'S COURT ACT, NO. 9 OF 2017
AND ENACT THE KADHI'S COURTS ACT AND PROVIDE
FOR OTHER MATTERS CONNECTED THEREWITH****ENACTED** by the House of Representatives.**PART ONE
PRELIMINARY PROVISIONS**Short title
and commence-
ment.

1. This Act may be cited as the Kadhi's Courts Act, 2023 and shall come into operation after being assented to by the President and on such date as the Minister may, by notice published in the Gazette, appoint.

Interp-
retation.

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

“actual contribution” means a contribution to the property made directly by a spouse or on behalf of a spouse during the marriage;

“Advocate” has a meaning as ascribed to it under the provisions of the Advocates Act, No. 1 of 2020;

“agent” means a holder of powers of attorney who appears in a case on behalf of a party with a leave of the Court;

“Chief Justice” means the Chief Justice of Zanzibar;

“Chief Kadhi” means Chief Kadhi appointed under section 15 of this Act;

“conciliation” means a method of resolving disputes that involves the parties themselves with the aid of third party as an adviser;

“Constitution” means the Constitution of Zanzibar of 1984;

“Islamic Sharia” means the legal system of Islam based on Quran, Hadith, Ijmaa, Qiyas and other sources of Islamic Sharia;

“interim order” means a temporary injunction or an interlocutory order issued in a case that is proceeding;

“joint matrimonial asset” means a property jointly acquired by spouses as a result of an actual contribution of each of them during the course of the marriage;

“Judicial Service Commission” means the Judicial Service Commission established under section 102 of the Constitution;

“Kadhi’s Court” means any Kadhi’s Court among the Kadhi’s Courts established under the provisions of this Act;

“Kadhi’s Courts” includes all Courts established under the provisions of this Act;

“Kadhi” means Chief Kadhi, Acting Chief Kadhi, Deputy Chief Kadhi, Kadhi of Appellate Kadhi's Court, Kadhi of Regional Kadhi’s Court or Kadhi of District Kadhi’s Court;

“Kafala” means adoption of a child in accordance with the principles of Islamic Sharia;

“mediation” means a method of resolving disputes by the parties themselves in the presence of a third party as a mediator;

“Minister” means the Minister responsible for legal affairs;

“party” means a plaintiff, defendant, appellant or respondent in a case before a Kadhi’s Court;

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

“Registrar” means the Registrar of Kadhi’s Courts appointed under section 23 of this Act;

“Ulamaa” means a person appointed under section 10 of this Act;

“Vakil” has a meaning as ascribed to it under the provisions of the Advocates Act, No. 1 of 2020.

PART TWO
ESTABLISHMENT AND JURISDICTIONS
OF KADHI'S COURTS

Establi-
shment of
Kadhi's
Courts.

3.-(1) There is established the following Kadhi's Courts:

- (a) District Kadhi's Court;
- (b) Regional Kadhi's Court; and
- (c) Appellate Kadhi's Court.

(2) The Regional Kadhi's Court and District Kadhi's Court established under subsection (1) of this section, shall be situated in every Region and District respectively.

Seal of the
Court.

4. The Kadhi's Courts shall have the seal bearing the style of the court in a shape and manner as approved by the Chief Justice.

Original
jurisdi-
ction.

5.-(1) Kadhi's Courts shall have exclusive original jurisdictions to hear a case for the first time as provided in the Schedule this Act.

(2) The exclusive original jurisdiction referred to in subsection (1) of this section, shall be exercised between parties who are muslims.

(3) Without prejudice to the provisions of subsection (2) of this section, any person who is not a muslim may submit a claim to the Kadhi's Court against a muslim, or he may be sued by a muslim in the Kadhi's Court for any matter that the Kadhi's Court has jurisdiction.

Territorial
jurisdi-
ction.

6.-(1) A District Kadhi's Court or a Regional Kadhi's Court shall have and exercise territorial jurisdiction to hear the case within its respective territorial area in a District or a Region.

(2) The Appellate Kadhi's Court shall have and exercise appellate jurisdiction in the whole of Zanzibar.

Appellate
jurisdiction.

7.-(1) A Regional Kadhi's Court shall have power to hear and determine appeals from a District Kadhi's Court, and appeals from the Regional Kadhi's Court shall be lodged to the Appellate Kadhi's Court.

(2) In exercising its appellate powers under subsection (1) of this section, the Regional Kadhi's Court or the Appellate Kadhi's Court may, with such instruction as to any further proceedings as it deems fit:

- (a) uphold, reverse or vary a judgment, decision or order of the District Kadhi's Court or the Regional Kadhi's Court respectively as it deems fit in accordance with the law; or
- (b) overrule and order re-trial of any case heard and decided by the District Kadhi's Court or the Regional Kadhi's Court as it deems fit in accordance with the provisions of this Act.

8. The Appellate Kadhi's Court may, upon application or on its own motion, call the record of any case to examine and revise the proceedings of the District Kadhi's Court or Regional Kadhi's Court and make an order in the case as it thinks fit if it appears that the District Kadhi's or the Regional Court: Revision.

- (a) has exercised a power not vested in it by the law;
- (b) has failed to exercise a power so vested; or
- (c) has acted in the exercise of its power illegally or with material irregularity.

9.-(1) A person who is aggrieved by a decision or order of a Kadhi's Court and has not lodged an appeal, may apply for a review of judgment or order to the same Court where there is: Review.

- (a) discovery of new and important matter or evidence which after the exercise of due diligence, the applicant was not aware of such matter or could not produce such evidence at the time when the decree was passed or order was made;
- (b) clerical or arithmetical mistake or an error apparent on the face of the record; or
- (c) any other sufficient reason.

(2) The Court may grant or reject the application or may make such order as it thinks fit.

Appeals.

10.-(1) A person who is aggrieved by a decision of the Appellate Kadhi's, may lodge an appeal to the High Court.

(2) In exercising its appellate jurisdiction under the provisions of this Act, the appeal shall be heard by a Judge of the High Court who is a male muslim and four Ulamaa whom together, shall be referred to as members of the Court.

(3) Ulamaa referred to under subsection (2) of this section, shall be appointed by the Chief Justice in consultation with the Chief Kadhi.

(4) In appointing Ulamaa under subsection (3) of this section, the Chief Justice may consider sects of the parties.

(5) The panel of the High Court at the hearing of an appeal, may invite any person who is conversant with a particular subject matter as a Friend of the Court.

(6) The High Court's decision in respect of such appeal, shall consider majority opinion of the members.

Binding nature of the decision of the High Court.

11.-(1) Subject to the provisions of the Constitution, the decision of the High Court shall be final.

(2) The decision of the High Court relating to cases originating from Kadhi's Courts shall be binding to all Kadhi's Courts but on applying such a precedent, sects of the parties shall be taken into consideration.

Presiding Kadhi in Kadhi's Court.

12.-(1) A Kadhi's Court shall be presided by a respective Kadhi in accordance with its jurisdiction on the matters provided to be dealt with by that court.

(2) Subject to the provisions of subsection (1) of this section, the Kadhi who hears the case shall keep records of proceedings according to the prescribed rules.

13.The Kadhi's Court shall, in exercise of its jurisdictions, apply laws and rules of evidence of Islamic Sharia. Law of Evidence.

PART THREE OFFICERS OF THE KADHI'S COURTS

14.-(1) The Kadhi's Courts shall have the following officers:

Officers of
the Kadhis
Courts.

- (a) the Chief Kadhi;
- (b) the Deputy Chief Kadhi;
- (c) Kadhi of Appellate Kadhi's Court;
- (d) Kadhi of the Regional Kadhi's Court;
- (e) Kadhi of the District Kadhi's Court; and
- (f) Registrar of the Kadhi's Courts.

(2) Save for Officers referred to under subsection (1) of this section, other employees of Kadhi's Courts shall be officers who do not perform adjudicative functions.

15.-(1) The Chief Kadhi or Deputy Chief Kadhi shall be appointed by the President from amongst Kadhis or person who is eligible to be appointed to be Kadhi.

Appointment
of Chief
Kadhi and
Deputy
Chief Kadhi.

(2) Subject to the provisions of subsection (1) of this section, the Judicial Service Commission shall, recommend to the President names of persons who are eligible to be appointed as Chief Kadhi or Deputy Chief Kadhi.

(3) The Chief Kadhi and the Deputy Chief Kadhi shall be paid remuneration and other benefits in accordance with the Judiciary Administration Act, No. 11 of 2018.

16. A person shall qualify to be appointed as Chief Kadhi or Deputy Chief Kadhi if such person:

Qualifi-
cations of
Chief Kadhi
and Deputy
Chief
Kadhi.

- (a) professes and follows Islamic Religion;

- (b) holds at least a first degree in the field of Islamic Sharia from an institution recognized by the Government or a person who is highly proficient in Islamic Sharia;
- (c) has an experience of at least seven years in matters relating to Islamic Sharia; and
- (d) has high level of integrity.

Appointment
of Acting
Chief Kadhi.

17.-(1) The President may, where Chief Kadhi is incapable to discharge his duties due to health reasons or any other reason, and after consultation with the Chief Justice, appoint the Deputy Chief Kadhi to be Acting Chief Kadhi.

(2) A person appointed as Acting Chief Kadhi shall have such powers as Chief Kadhi and shall perform all functions of Chief Kadhi until the Chief Kadhi resumes his office or a new Chief Kadhi is appointed.

Responsi-
bilities of
Chief Kadhi
and Deputy
Chief
Kadhi.

18.-(1) The Chief Kadhi shall be a head of Kadhi's Courts who shall be responsible for the overall supervision of the Kadhi's Courts.

(2) The Deputy Chief Kadhi shall be the principal assistant to Chief Kadhi and shall discharge such other duties as he may be assigned by the Chief Kadhi.

(3) The Chief Kadhi and Deputy Chief Kadhi shall, prior to taking office, take an oath before the President.

Tenure of
Chief Kadhi
and Deputy
Chief Kadhi.

19.-(1) The Chief Kadhi or Deputy Chief Kadhi shall remain in his post until he reaches the age of sixty years in which he may voluntarily retire, or at the age of sixty-five years in which he shall retire compulsorily.

(2) Notwithstanding the provisions of subsection (1) of this section, the President may extend the tenure of the Chief Kadhi or Deputy Chief Kadhi for such period as he deems fit, but such period shall not exceed five years.

20.-(1) The Appellate Kadhi's Court shall constitute Chief Kadhi and the Deputy Chief Kadhi and not less than three other Kadhi's of the Appellate Kadhi's Court.

The
Appellate
Kadhi's
Court.

(2) A case before Appellate Kadhi's Court shall be heard by the Chief Kadhi, Deputy Chief Kadhi or any other Kadhi of the Appellate Kadhi's Court.

(3) The Kadhi of the Appellate Kadhi's Court shall be appointed by the President from amongst Kadhi's of the Regional Kadhi's Court or a person holding equivalent qualifications of the Kadhi of the Regional Kadhi's Court.

(4) Subject to the provisions of subsection (3) of this section, the Judicial Service Commission shall recommend to the President names of persons who are eligible to be appointed as a Kadhi of the Appellate Kadhi's Court.

(5) The Kadhi of the Appellate Kadhi's Court shall, prior to taking office, take an oath before the President.

21.-(1) A Kadhi of a Regional Kadhi's Court shall be appointed by the Judicial Service Commission from amongst Kadhi's of the District Kadhi's Court or a person holding equivalent qualifications of the Kadhi of the District Kadhi's Court.

Kadhi
of the
Regional
Kadhi's
Court.

(2) A person shall qualify to be appointed as a Kadhi of a Regional Kadhi's Court if that person:

- (a) professes and follows the Islamic Religion;
- (b) holds at least first Degree in the field of Islamic Sharia from any institution recognized by the Government;
- (c) has an experience of at least five years in matters relating to the Islamic Sharia; and
- (d) has high level of integrity.

(3) The Kadhi of the Regional Kadhi's Court shall, prior to taking office, take an oath before the Chief Justice.

Kadhi of
the District
Kadhi's
Court.

22.-(1) A Kadhi of a District Kadhi's Court shall be appointed by the Judicial Service Commission.

(2) A person shall qualify to be appointed as a Kadhi of a District Kadhi's Court if that person:

- (a) professes and follows the Islamic Religion;
- (b) holds at least first degree in the field of Islamic Sharia from an institution recognized by the Government;
- (c) has an experience of at least three years in matters relating to the Islamic Sharia; and
- (d) has high level of integrity;

(3) The Kadhi of the District Kadhi's Court shall, prior to taking office, take an oath before the Chief Justice.

Registrar
of Kadhi's
Courts.

23.-(1) There shall be a Registrar of Kadhi's Courts who shall be appointed by the Judicial Service Commission.

(2) A person shall qualify to be appointed as Registrar of the Kadhi's Courts if such person:

- (a) has been appointed as a Kadhi of a Regional Kadhi's Court; and
- (b) has working experience of at least five years in Court's duties.

(3) The Registrar shall be assisted by Deputy Registrars who are appointed by the Judicial Service Commission upon recommendations of the Chief Kadhi.

(4) The Deputy Registrar shall have similar qualifications for the Registrar.

(5) The Registrar shall, for effective performance of the judicial functions, be accountable to the Chief Kadhi.

24.-(1) The duties of the Registrar of the Kadhi's Courts are to:

- (a) pronounce judgments made by the Appellate Kadhi's Court;
- (b) make orders and do any function of the Appellate Kadhi's Court including:
 - (i) receiving appeal, revision or review;
 - (ii) issuance and service of summons;
 - (iii) adjournment of proceedings of the Appellate Kadhi's Court;
 - (iv) hearing applications relating to payment of a decree;
 - (v) direct the amendment to be made on the application of appeals, revisions or reviews; and
 - (vi) supervise the payment of costs and execution of decree generally;
- (c) discharge any other duties assigned to him by the Chief Kadhi or conferred by any other law.

(2) The Registrar of the Kadhi's Courts shall, in exercising the judicial functions under the provisions of this Act, have the same powers as the Registrar of the High Court in civil cases.

(3) A person who is dissatisfied with any order of the Registrar of the Kadhi's Courts may, by way of an application supported by an affidavit, appeal against that order to the Appellate Kadhi's Court.

(4) The Chief Kadhi, Deputy Chief Kadhi or a Kadhi of the Appellate Kadhi's Court shall have power, on an application of any person affected by the decree or order issued by the Registrar, to set aside such decree or order and pass another decree or make an order as may be just.

(5) Application under subsection (4) of this section, shall be made within thirty days upon passing or making of such decree or order or such other time as the Chief Kadhi may allow.

(6) Application under subsection (4) of this section, shall not operate as a stay of any proceedings or execution of any decree, unless the Registrar of the Kadhi's Courts, Chief Kadhi, Deputy Chief Kadhi or a Kadhi of the Appellate Kadhi's Court, as the case may be, orders otherwise.

PART FOUR SETTLEMENT OF DISPUTES

Powers of a Kadhi's Court to refer a dispute to a settlement.

25.-(1) A Kadhi's Court which has original jurisdiction to hear a case, when a case has been filed, and upon request of a party or of its own motion, may refer the dispute to settlement.

(2) The settlement referred to in subsection (1) of this section, may either be by way of mediation or conciliation.

(3) The Chief Kadhi shall, when required, appoint mediators or conciliators in accordance with the criteria and qualifications as prescribed in the Rules made under this Act.

Rights of parties to mediation or conciliation.

26. The disputing parties, during the mediation or conciliation process, shall have the right to resolve any matter regarding the issue tabled for mediation or conciliation.

Duration of mediation or conciliation.

27.-(1) A mediation or conciliation period shall not exceed fourteen days from the date of the first session of the mediation or conciliation, and when there is a necessity for an additional time, such additional time shall be approved by the parties.

(2) The mediator or conciliator shall communicate additional time approved by the parties under subsection (1) of this section to the presiding Kadhi.

Cancellation of mediation or conciliation.

28.-(1) The mediator or conciliator may cancel the mediation or conciliation and revert the dispute to the Court if it is impossible to proceed with mediation or conciliation due to the failure of one party

or both parties to attend the proceedings with no justifiable reason or by any reason beyond the control of the mediator or conciliator.

(2) A party who disagrees with the decision under subsection (1) of this section, within seven days from the date the decision was given, may apply to the Court responsible with such case for the restoration of the mediation or conciliation.

(3) Where the Court is satisfied that the party who disagreed with the decision under subsection (1) of this section, has sufficient reasons, may restore the mediation or conciliation.

29. A mediation or conciliation shall reach an end when:

End of mediation or conciliation.

- (a) the mediator or conciliator cancels mediation or conciliation session if one or both parties do not comply with the instructions or violates the principles agreed;
- (b) the mediator or conciliator, after consultation with the parties, makes a declaration that further mediation or conciliation is not possible or worthwhile;
- (c) the parties have executed a settlement agreement;
- (d) the parties jointly have agreed to terminate the mediation or conciliation; and
- (e) a party makes declaration to the mediator or conciliator to terminate mediation or conciliation and the other party agrees.

30.-(1) The court shall, after being satisfied with the settlement agreement between the parties, register the settlement agreement of mediation or conciliation.

Registration of settlement agreement.

(2) Subject to the provisions of subsection (1) of this section, the settlement agreement shall be treated as a consent judgment and the court shall have the power to execute it.

31. Where upon the conclusion of mediation or conciliation and no settlement agreement is reached, the dispute shall be reverted to the Kadhi who shall continue with the trial from the point it reached

Failure to reach settlement by mediation or conciliation.

and in the matter that led to the dispute being sent to mediation or conciliation.

PART FIVE FINANCIAL PROVISIONS

Budget and funds of the Kadhi's Courts.

32.-(1) The Kadhi's Courts shall hold its own budget Vote through which shall be disbursed all the funds appropriated or accrued for the use of the Kadhi's Courts.

(2) The Pay Master General shall appoint an accounting officer for the Vote of the Kadhi's Courts, and the Accountant General shall allocate staff to undertake the accounting work for the Vote.

(3) The funds of the Kadhi's Courts shall include:

- (a) such amount of money appropriated by the House of Representatives; and
- (b) grants, donations and other funds received by the Kadhi's Courts from other eligible sources.

PART SIX MISCELLANEOUS PROVISIONS

Powers to make interim order.

33. At any time when the case is pending in a Kadhi's Court, a party may apply for interim order and the Court may make such order or give such directives in relation to the application which the party has filed as it considers fit in law for the just disposal of the case judiciously.

Notary public and Commissioner for oath.

34.-(1) The Chief Kadhi, the Deputy Chief Kadhi, a Kadhi of the Appellate Kadhi's Court or a Kadhi of the Regional Kadhi's Court shall have, by virtue of his office, powers and duties of a notary public and commissioner for oaths in Islamic matters and shall exercise such power in respect of the following matters:

- (a) administering oaths;
- (b) attesting signatures; and
- (c) certifying copies of documents.

(2) The fees to be charged for the duties discharged by a notary public and commissioner for oaths under subsection (1) of this section, shall form part of the Government revenue.

35. A Kadhi shall not act in his judicial office in any proceedings in which he has any pecuniary or personal interest.

Conflict of interests.

36.-(1) The language of Kadhi's Courts shall be Kiswahili.

Language of Kadhi's Courts.

(2) Where either of the parties is not conversant with Kiswahili language or is dumb or has any other disability which hinders him from understanding the language of the Kadhi's Court, the Court shall engage an interpreter.

(3) An interpreter shall take an oath before a Kadhi of the court, prior to discharging his duty as an interpreter.

37.-(1) The Kadhi's Court shall have the jurisdiction to commence proceedings against any person for contempt of a Kadhi's Court and may, in such proceedings, enforce compliance or give punishment.

Contempt of Kadhi's Court.

(2) A person who:

- (a) within the premises in which any court proceeding is being held, or within the precincts of the such premise, shows disrespect in speech or manner to or in respect to such proceeding, or to any person before whom such proceeding is being held;
- (b) has been called upon to give evidence in a judicial proceeding, fails to attend or has attended but refused to be sworn or to make an affirmation, or refuses without a lawful excuse to answer a question or to produce a document, or remains in a room in which proceeding is being held after being ordered to leave such room;
- (c) causes an obstruction or disturbance in the course of judicial proceeding;
- (d) while a judicial proceeding is pending, makes use of any speech or writing, misrepresenting such proceeding or

capable of prejudicing any person in favor of or against any party to such proceeding, or calculated to lower the authority of any person before whom such a proceeding is being held;

- (e) attempts unlawfully to interfere with or influence a witness in judicial proceeding;
- (f) refuses to obey an order of the court; or
- (g) commits any other act of intentional impertinence or disruption to any judicial proceeding, or to any person to whom such proceeding is being held,

commits a contempt of court and shall, upon conviction, be liable to a fine not exceeding Three Hundred Thousand Tanzania Shillings or imprisonment for a term not exceeding one month or to both.

(3) Where contempt is committed before the Court, it shall not be necessary for the Court to serve the notice to show cause, but the Court shall ensure that the person alleged to be in contempt understands the nature of the offence alleged against him and has opportunity to be heard in his own defense, and proper records of the proceedings shall be kept.

(4) Where the case of contempt has been committed outside the Court, a notice to require a person to issue a reason as to why an action or proceedings should not be taken against him shall be served to the person alleged to have committed such offence.

Appearance
of
Advocate,
Vakil or
agent.

38.-(1) An Advocate, Vakil or an agent duly authorized may appear on behalf of any party in the Kadhi's Courts or in the High Court.

(2) Subject to the provisions of subsection (1) of this section, the Advocate, Vakil or an agent shall be required to have the basic of Islamic Knowledge and shall be required to be approved by the Chief Justice.

39. Officer of the Kadhis Court shall not be liable to be sued in any civil suit or prosecuted in a criminal case for any act done or ordered by him to be done in the discharge of his judicial duties or in the exercise of his judicial powers if at the time of doing such act or making such order he did it in good faith.

Immunity of officers of Kadhis Court.

40. The Chief Justice may, in consultation with the Chief Kadhi, make rules for the better carrying out the provisions of this Act including procedures for mediation and conciliation.

Rules.

41. The Chief Justice may, in consultation with the Chief Kadhi and by order published in the Official Gazette, amend the Schedule of this Act.

Amendment of Schedule.

42.-(1) The Kadhi's Court Act No. 9 of 2017 is hereby repealed.

Repeal and savings.

(2) Notwithstanding the provisions under subsection (1) of this section, all matters and proceedings pending before any Kadhi's Court shall continue and be concluded under the repealed Act, and all matters done or decisions made under the repealed Act, shall be regarded to have been done or made under the provisions of this Act.

SCHEDULE

EXCLUSIVE ORIGINAL JURISDICTIONS [Made under section 5(1)]

SUBJECT MATTER	COURT
Marriage, mahr, divorce, alimony and other related matters.	District Kadhi's Court.
Wife maintenance.	District Kadhi's Court.
Custody and maintenance of children.	District Kadhi's Court.
Kafala.	Regional Kadhi's Court.
Proof of lineage.	Regional Kadhi's Court.
Wakf, Wills and Inheritance.	Regional Kadhi's Court.
Disputes relating to mosques or religious institutions.	Regional Kadhi's Court.
Religious charitable trusts, gifts inter vivo and grants.	Regional Kadhi's Court.
Division of joint matrimonial assets.	Regional Kadhi's Court.

OBJECTS AND REASONS

The object of this Bill is to enact a law which provide provisions relating to establishment of new structure of Kadhi's Courts, to enhance and improve performance and efficiency of Kadhi's Courts towards dispensation of justice. This Bill intends to promote access to justice through various levels of Kadhi's Courts to the society. The Bill also set out provisions relating dispute settlement by mediation and conciliation. This Bill provides for the provisions which will expedite hearing and determination of cases. The Bill also have provisions that create similar levels between the Kadhi's Courts and secular Courts. In addition, the Bill proposes the provisions that recognize highly proficient persons in Islamic Sharia and the best way the Kadhi's Courts can benefit from them.

This Bill is divided into Six Parts:

Part One is about Preliminary Provisions which provide for short title and commencement, and interpretation of some important words used therein.

Part Two sets out the provisions for Establishment and Jurisdictions of Kadhi's Courts which include establishment of Kadhi's Courts, seal, original jurisdiction, territorial jurisdiction, appellate jurisdiction, revision and review. This part also deals with the provisions for appeals to the High Court, binding nature of the decision of the High Court, presiding Kadhi in the Kadhi's Court and law of evidence.

Part Three explains about the provisions for the Judicial Officers of the Kadhi's Courts. This part explains the provisions for appointment of Chief Kadhi and Deputy Chief Kadhi, qualifications of Chief Kadhi and Deputy Chief Kadhi, responsibilities of Chief Kadhi and Deputy Chief Kadhi, tenure of Chief Kadhi and Deputy Chief Kadhi, Kadhi of the Appellate Kadhi's Court, Kadhi of the Regional Kadhi's Court, Kadhi of the District Kadhi's Court, Registrar of Kadhi's Courts and duties of the Registrar.

Part Four provides for the provisions of Settlement of Disputes which include the provisions for powers of a Kadhi's Court to refer a dispute to a settlement, rights of parties to mediation or conciliation, duration of mediation or conciliation, cancelation of mediation or conciliation, end of mediation or conciliation, registration of settlement of mediation or conciliation and failure to reach settlement by mediation or conciliation.

Part Five is about Financial Provisions. It entails budget and funds of the Kadhi's Courts.

Part Six is about Miscellaneous Provisions. This part provides for miscellaneous provisions that includes powers to make interim order, notary public, conflict of interests, language of Kadhi's Courts, contempt of Kadhi's Court, appearance of Advocate, recognized agent or Vakil, immunity of judicial officers, powers to make rules, amendment of Schedule and repeal and savings.

ZANZIBAR
23th August, 2023

(HON. HAROUN ALI SULEIMAN)
***Presidents Office Constitution, Leagal
Affairs Public Service
and Good Governance***