



THE REGISTRATION OF ZANZIBARIS RESIDENT ACT, 2005

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ACT NO. 7 OF 2005

I ASSENT

Amani Abeid Karume

**{AMANI ABEID KARUME}
PRESIDENT OF ZANZIBAR
AND**

CHAIRMAN OF THE REVOLUTIONARY COUNCIL

12th MAY, 2005

**AN ACT TO MAKE PROVISIONS FOR THE REGISTRATION OF
ZANZIBARIS RESIDENT IN ZANZIBAR AND FOR THE
ISSUANCE OF IDENTITY CARDS AND FOR OTHER
MATTERS CONNECTED THERE WITH**

ENACTED by the House of Representatives of Zanzibar.

Short title and
Commencement.

1.(1) This Act may be cited as the Registration of Zanzibaris Resident Act, 2005.

(2) This Act shall come into operation immediately after being assented to by the President.

Interpretation.

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

“Director” means a person appointed as such under section 4 of this Act;

“Identity Card” means a certificate of identity issued to a Zanzibari resident under section 10 of this Act;



"Minister" means the Minister responsible for Regional Administration;

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

"Resident in Zanzibar" means dwelling permanently in Zanzibar;

"Sheha" means a sheha of a shehia as prescribed by the Regional Administration Authority Act, No. 1 of 1998;

"Zanzibari" means a citizen of Tanzania resident in Zanzibar as defined in the Zanzibari Act, No. 5 of 1985;

Establishment of Registration Office.

3. There is hereby established an office to be known as the Zanzibar Identity Cards Registration Office.

Appointment of Director of Registration.

4.(1) The President shall appoint a Director of Registration for the purpose of this Act.

(2) Subject to the provisions of this Act, the control and executive management of the Zanzibar Identity Cards Registration Office shall be vested on the Director.

Appointment of Officers and staff.

5. The Director may in consultation with the Minister, appoint other officers and staff as may be required for the efficient performance of the duties of the Director on such terms and conditions as he may determine.

Duties of the Director of Registration.

6. Subject to the provisions of this Act and directives of the Minister, the Director shall -

- (i) register every Zanzibari resident in Zanzibar who has attained the age of eighteen years and above;
- (ii) issue identity cards to every registered Zanzibari resident in Zanzibar;
- (iii) maintain a record of all Zanzibaris resident in Zanzibar to whom this Act applies.



Registration to be compulsory.

7.(1) The Director may by notice in the Gazette or in such other manner as he may think best fitted to bring the contents thereof to the notice of the persons affected thereby require any person in any particular area of Zanzibar to attend before a registration officer at such place and between such dates as may be specified in such notice for the purpose of registering under the provisions of this Act.

(2) Every person shall upon being so required, attend and submit to the registration officer application for registration on prescribed forms to be supplied by the registration officer and for this purpose shall submit his left thumb to be recorded and his photograph to be taken, if so required.

Registration of Returnees.

8. Every Zanzibari resident in Zanzibar but who is outside Zanzibar at the date of coming into force of this Act or who has not attained the age of eighteen years shall within a month of his/her entry into Zanzibar or his attaining the age of eighteen years attend before a registration officer for the purpose of being registered if he is a person to whom this Act applies.

Power to demand Proof of Information.

9. The registration officer may require any person who has given any information in pursuance of this Act to furnish such documentary or other evidence of the truth of such information as it is within the power of that person to furnish.

Issuances of Identity Cards.

10.(1) Upon registration of a person under this Act, the registration officer shall on payment of the prescribed fee issue an identity card in a form approved by the Director.

(2) Every registered person shall permit his left thumb print and/or photograph to be recorded on his identity card.

(3) Every person to whom identity card has been issued shall keep such card in safe custody.

(4) Any person who loses his identity card shall without delay report such loss first to the sheha of his shehia and thereafter to the nearest police station and after due enquiry the registration officer



shall on payment of the prescribed fee issue to such person a new identity card.

(5) Any person who finds or who comes into possession of an identity card which does not belong to him shall without delay return it either to its owner or to the nearest police station.

Production and
Inspection of
Identity Card.

11.(1) In the exercise of its lawful functions any authority to whom a person, required to be registered under this Act, applies for the grant of registration as voter or of any licence, permit or other document, may in its discretion require the applicant to produce to such authority his identity card, and if such applicant when so required fails to produce to such authority his identity card the authority may notwithstanding the provisions of any other law for the time being in force, in its discretion defer consideration of such application until such applicant produces his identity card.

(2) The Director or any police officer or any immigration officer may at any time require a person to whom this Act applies to produce for inspection his identity card.

Refusal to issue,
withdrawal or
cancellation of
identity cards.

12. The Director may refuse to issue or may cancel any identity card issued to any person who is not a Zanzibari resident in Zanzibar.

Appeals.

13.(1) Any person aggrieved by a decision of a registration officer may appeal to the Director against such decision.

(2) Any person aggrieved by a decision of the Director may appeal against such decision to the Minister whose decision shall be final.

Offences and
Penalties.

14.(1) Any person who:-

- (a) fails to apply to be registered in accordance with sections 7 and 8 of this Act; or
- (b) in giving any information for the purposes of this Act, knowingly or recklessly makes any statement which is false in a material particular; or
- (c) unlawfully deprives any person of identity card issued to him under this Act; or



- (d) unlawfully makes an entry, alteration or erasure on a identity card; or
- (e) unlawfully issues an identity card; or
- (f) is in unlawful possession of or makes use of an identity card belonging to any other person; or
- (g) falsely states that he has not previously been registered or commits any act or makes any false representation or omission with the object of deceiving a registration officer; or
- (h) is knowingly in possession of an identity card containing any false entry alteration or erasure; or
- (i) having previously been issued to him an identity card under this Act, obtains or attempts to obtain another identity card without disclosing to the registration officer the fact of such previous issue and the loss, mutilation or destruction of any identity card previously issued;

shall be guilty of an offence and shall on conviction be liable to a fine of not less than One Hundred Thousand Shillings or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

(2) Any person who instigates or encourages another person to register by making a false declaration or who advises or encourages another person to obtain a false identity card shall be guilty of an offence and shall on conviction be liable to imprisonment for a term not exceeding six months.

(3) Any person who instigates or encourages another person not to register his name shall be guilty of an offence and shall on conviction be liable to imprisonment for a term not exceeding six months.

Consequential
Amendment.

15. The following Acts are hereby amended:-

- (a) The Zanzibari Act, No. 5 of 1985 is hereby amended by adding section 4A immediately after section 4 as follows:-

Identity Card. "4A. Every Zanzibari resident in Zanzibar who has attained the age of eighteen and above shall be registered and be given an identity card which shall be issued by the Director."



(b) The Election Act, No. 11 of 1984 is hereby amended by adding section 12(1) (e) immediately after section 12(1) (d) as follows:-

“(e) If he fails to produce his identity card before the Registration Officer.”

Power to make regulations.

16. The Minister may make rules, orders or regulations not inconsistent with the provisions of this Act for the better carrying out the provisions of this Act.

PASSED in the House of Representatives on the 12th day of April, 2005.

KK Chande

{**KHAMIS JUMA CHANDE**}
CLERK OF THE HOUSE OF REPRESENTATIVES