



THE ZANZIBAR STANDARDS ACT, 2011 ARRANGEMENT OF SECTIONS

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SCHEDULE



ACT NO. 1 OF 2011

I ASSENT

{DR. ALI MOHAMED SHEIN}
PRESIDENT OF ZANZIBAR
AND

CHAIRMAN OF THE REVOLUTIONARY COUNCIL

5th July, 2011

**AN ACT TO PROVIDE FOR THE DEVELOPMENT, PROMOTION
AND MAINTENANCE OF STANDARDIZATION AND
QUALITY IN CONNECTION WITH COMMODITIES
AND THE RENDERING OF RELATED CONFORMITY
ASSESSMENT SERVICES AND TO
PROVIDE FOR OTHER MATTERS
CONNECTED THEREWITH.**

ENACTED by the House of Representatives of Zanzibar.

**PART I
PRELIMINARY PROVISIONS**

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| Short title
and
Commencement. | 1. This Act may be cited as the Zanzibar Standards Act of 2011 and shall come into operation immediately after being assented to by the President. |
| Application. | 2. This Act shall apply to commodities produced or manufactured, rendered within, or imported into Zanzibar. |
| Interpretation. | 3. In this Act, unless the context otherwise requires:-

"Article" means (in respects to standardisation and marking) any substance, artificial or natural, or partly artificial or partly natural, whether raw or partly or wholly processed or manufactured;

"Board" means the Board of Directors of the Zanzibar Bureau of Standards established under section 8 of this Act;

"Bureau" means the Zanzibar Bureau of Standards established under section 4 of this Act; |



- “Code of Practice” means a description of the method of production of any commodities or of the execution of any service, process or practice by which in the opinion of the Bureau a person adhering to it is able to produce commodities or offer services which are likely to comply with a specification or Standard;
- “Commodities” means goods, product, article of trade or services designed to be released or launched in a market;
- “conformity assessment” means the procedure used to determine, directly or indirectly, that the relevant requirement in technical regulations, standards or any other relevant and validated documentation has been fulfilled;
- “Compulsory Standards” means a standard so declared by order of the Minister under section 16(2) of this Act;
- “Consumer” means a person or a group of person within the target range of the producer or manufacturer or packer of goods, and includes the market within anticipation of such producer, manufacturer or packer;
- “Director General” means the Director General appointed under section 6(1) of this Act;
- “Government” means the Revolutionary Government of Zanzibar;
- “Licence” means a licence granted under section 13(2) of this Act;
- “Management” means the Director General, Heads of Departments, Heads of Sections and any other officer Appointed by the Board of the Directors;
- “Manufacturer” means the manufacturer of any article or process;
- “Mark” includes any device, brand, heading, label ticket, name, signature, word, letter, numeral or any combination thereof;
- “Member” includes Chairman and Vice-Chairman of the Board;
- “Minister” means the Minister responsible for Trade;
- “National Measurement Standard” means measurement standard recognized by the Bureau to serve as the basis for assigning quantities to other measurement standards;
- “President” means the President of Zanzibar and Chairman of the Revolutionary Council;
- “Sell” includes barter trade and exchange, exposure, offer for sale and export for or in pursuance of sale, and in possession for any purpose of sale, export, trade or manufacturing;



“Service” means work performed as a support operation involving non manufactured, non-tangible and utility provision for someone else, whose recipient is a consumer;

“Specification” means a description of any commodities, by reference to its nature, quality, strength, purity, safety, composition, quantity, dimensions, weight, grade, durability, origin, age or other characteristics or to any substance or material of or with which, or the manner in which, any commodity may be manufactured, produced, processed or treated;

“standard” means a document that provides for common and repeated use, rules, guidelines or characteristics for products, services, or processes and production methods, including terminology, symbols, packaging, marking or labelling requirements as they apply to a product, service, process or production method;

“Standards Inspector” means an inspector appointed under section 21(1) of this Act;

“Standard mark” means a mark attesting that a commodity is in conformity with a specific standard or technical specification;

“Standardization” means an act or activity of establishing, with regard to actual or potential problems, provisions for the common and repeated use and includes the process of formulating, packaging, issuing and implementing standards, aimed at achieving an optimum degree of order in a given context;

“National Standards” means standards declared by the Minister in accordance with the provisions of section 17 of this Act.

PART II

ESTABLISHMENT, FUNCTIONS AND MANAGEMENT OF THE ZANZIBAR BUREAU OF STANDARDS

Establishment
of Zanzibar
Bureau of
Standards.

4.(1) There is hereby established a government agency to be known as the Zanzibar Bureau of Standards and its acronyms “ZBS”.

(2) The Bureau shall be an autonomous body.

(3) The Bureau shall be a body corporate with perpetual succession with a common seal and shall be capable in its name of:

- (a) suing and being sued;
- (b) borrowing and lending money;
- (c) taking, purchasing, or otherwise acquiring, holding, charging and disposing of movable and immovable property; and



Functions of
the Bureau.

- (d) doing or performing all such other thing which is necessary for proper performance of its functions under this Act which may lawfully be done by a body corporate.

5. The Bureau shall exercise such powers and perform such functions as may be assigned to it under this Act and, in particular, to:-

- (a) establish, publish, promote, amend or modify from time to time an updated version of a standard for the quality, quantities and units of measurement to be used, which shall in conformity with the latest version of the international system of units;
- (b) undertake measures for quality control, quality assurance and certification of commodities, services and environment of all descriptions and to promote standardization in industry and trade;
- (c) make arrangements or provide facilities for the examination and testing of commodities and any material or substance from or with which, and the manner in which, they may be manufactured, produced, processed or treated;
- (d) make arrangements or provide for the testing and calibration of precision instruments, gauges and scientific apparatus, for the determination of their degree of accuracy and traceability by comparison with standards approved by the Minister on the recommendation of the Board;
- (e) provide for the inspection, sampling and testing of locally produced, manufactured, agricultural and imported commodities with a view to deter whether the commodities comply with the provisions of this Act or any other law dealing with standards relevant to those commodities;
- (f) establish, maintain and recognise laboratories for the purposes of standardization and quality control and for such other purposes as may be prescribed;
- (g) recognise any accredited and approved institution in Zanzibar or outside which is engaged in the standardisation of any article or process or the improvement of the quality of any article or process;
- (h) cooperate with other government agencies, representatives of any industry or any other statutory corporation or person with a view securing the adoption and practical application of standards;
- (i) cooperate with regional and international organizations in all matters related to standardization and quality assurance and represents the country in such matters;
- (j) collect, publish and disseminate information and other materials on standardization and other related subjects and to provide facilities for the members of the public to have access to the materials;



- (k) make such inspection and take such samples of any material or substance as may be necessary to see whether any article or process in relation to which the Standard Mark has been used conforms to the National Standard or whether the Standard Mark has been improperly used in relation to any article or process with or without a licence;
- (l) encourage or undertake advocacy in connection with standardization, quality assurance, metrology, testing and environment packaging;
- (m) grant, renew, suspend or cancel a licence for the use of the standard mark;
- (n) charge fees in respect of the setting and issuing of a National Standard, and in respect of the training or services rendered in connection with standardisation or with any standards, and in regard to the provision of any services rendered or product provided; and
- (o) perform such other functions as may be prescribed by the Board.

Appointment
of the
Director
General.

6.(1) There shall be a Director General of the Bureau who shall be appointed by the President.

(2) A person shall be qualified to be appointed as Director General if he:-

- (a) is a Zanzibari;
- (b) is a holder of at least Master degree of Business Administration or its equivalent from a recognized institution; and
- (c) possesses at least five years experience on standardization or quality assurance, metrology or business and Industrial administration.

(3) The Director General shall be the chief executive officer of the Bureau and shall be responsible to the Board for the management of the business and affairs of the Bureau as well as for the execution of the decisions and directives of the Board.

(4) The Director General shall be appointed to serve on such terms and conditions as shall be set out in the letter of his appointment.

Employment
of Staff of the
Bureau.

7.(1) The Director General, after consultation and approval of the Board, may employ general staffs under terms and conditions as stipulated by the Board, in carrying out functions of the Bureau.

(2) The Bureau may out of its funds make such arrangements for the training of its staff, and other matter related to, as it may consider expedient for the efficient conduct of its functions.



Board of
Directors.

8.(1) There is hereby established a Board of Directors of the Zanzibar Bureau of Standards which shall be responsible for the general supervision of the functions of the Bureau.

(2) The Board shall consists of:-

- (a) Chairman who shall be appointed by the President;
- (b) Director General of the Bureau; and
- (c) five other members appointed by the Minister from Ministry responsible for Trade, Ministry responsible for Health, Ministry responsible for Agriculture, Attorney General's Chambers and from Zanzibar Chamber of Commerce.

(3) When appointing members under sub section 2(c) of this section, the Minister in consultation with the concerned institutions, shall ensure that such members have sufficient knowledge, experience, or qualifications relating to standardization, quality control, business management and environment.

(4) The proceedings of the Board shall be governed as prescribed in the Schedule to this Act.

(5) The Minister may, by order publish in the Gazette, amend, vary, alter or replace all or any of the provisions of the Schedule of this Act.

(6) The Board shall appoint a qualified lawyer to be the Secretary to the Board.

Tenure of
member of
the Board.

9. The members of the Board shall hold office for a period of three years and may be re-appointed for not more than two terms.

Powers and
Duties of the
Board.

10.(1) Subject to the provisions of this Act, the general supervision and policy guidelines with respect to the conduct of the functions of the Bureau shall be vested to the Board.

(2) In particular and without prejudice to the generality of the provisions of subsection (1) of this section, the Board shall have powers to:-

- (a) supervise the functions of the Bureau in relation to standardization of commodities, quality assurance and control, certification and testing;
- (b) supervise the properties both movable and immovable, fund of the Bureau and other assets;
- (c) appoint directors and other senior staffs as the Bureau as may consider necessary;
- (d) consider and approve organisational structure of the Bureau for smooth discharge of its functions and responsibilities of the Bureau;



- (e) consider and approve staffs manuals;
- (f) consider and approve financial and staff regulations;
- (g) determine, subject to the approval of the relevant government institutions, terms and conditions of service for the employees of the Bureau.
- (h) set strategies, action plans and appropriate work targets for each department and monitor its progress in achieving them on a continuous basis;
- (i) approve annual budget of the Bureau;

Committees
of the Board.

11.(1) The Board may establish committees to assist it to exercises its power and perform functions and the validity of such committees shall be for period as directed by the Board.

(2) The Board may co-opt any specialised technical experts to provide advice for proper performance of the functions of the Bureau.

PART III PROVISIONS RELATING TO STANDARDIZATION

Standard
Marks.

12.(1) Subject to the provisions of subsections (2) of this section, Bureau shall, by notice published in the Gazette, declare any mark which has been approved by the Board in respect of any standard prescribed or recognized by the Bureau for any commodities or the manufacturing, production, processing or treatment of any commodities, to be a standard mark in respect of it and may, in like manner, cancel or, amend that mark.

(2) The notice shall contain information with regards to the relevant standard or its amendment which the Bureau may considers necessary.

(3) Notwithstanding the existence of any other standard, the standards declared by the Bureau shall prevail over any other existing standards.

Application
and use of
standard
marks.

13.(1) A person who intends to use a standard mark in connection with any commodities shall make application to the Bureau in such manner as may be described in the Regulations.

(2) The Bureau may, if satisfied that the commodities conform to a standard, grant a licence to the applicant to use a standard mark upon such terms and conditions, as may be described in the Regulations.

(3) A person who:-

- (a) applies a standard mark to any receptacle or cover of any commodities or to any label attached to any commodities or any receptacle or its cover; or



- (b) places or encloses any commodities in a receptacle or cover to which a standards mark has been applied or in a receptacle or cover to which is attached a label to which that mark has been applied,

shall, for the purposes of subsection (2) of this section be deemed to have applied that standard mark to that commodities.

(4) The issuance of licence under subsection (2) of this section shall be in the discretion of the Bureau and the license may be issued subject to conditions to be specified in it and subject to the payment of any fees which may be prescribed by the Board in the Regulations.

(5) The Bureau may as its discretion revoke or suspend any licence issued under this section or vary any condition attached to any license.

(6) Any person who contravenes the provisions of subsection (2) of this section or any other conditions specified in a licence issued to him commits an offence.

Appeal.

14.(1) Any person who is aggrieved by:-

- (a) the refusal of the Bureau to issue a licence; or
- (b) any condition attached to a licence; or
- (c) the variation, cancellation or suspension of any licence,

may within fourteen days of the notification of act complained of being received by him, appeal in writing to the Minister who shall, within thirty days, either confirm, set aside or vary the decision complained.

(2) Any person who is dissatisfied by the decision of the Minister may refer the matter to the High Court of Zanzibar.

Sample,
Equipments
and
information.

15.(1) Every person to whom a license has been issued under this Act shall furnish within a period which may be specified the samples of any commodities to which the license relates and all such information with regards to such commodities or its manufacturing, production, processing or treatment as may be specified in the request.

(2) Every person to whom a license has been issued to offer a calibration service shall be required to submit such samples of any commodities to the Bureau for calibration against the national measurement standard of his equipment or instrument.

(3) Every person who has been licensed to undertake a scientific or industrial measurement or use of such measurement equipment shall submit, from time to time, the equipment to the Bureau for calibration or re-calibration against the National Measurement Standard or National Standard.



(4) Any person who contravenes any of the provisions of this section commits an offence.

Compulsory
Standards.

16.(1) A standard which is intended primarily to:-

- (a) protect the consumer or user against danger to health or safety;
- (b) protect public or industrial health, welfare or safety;
- (c) protect the environment;
- (d) ensure acceptable quality in products whether produced for domestic use or export;
- (e) ensure acceptable quality in products imported for domestic use or re-export;
- (f) ensure acceptable quality in any case where there is restriction in choice of source of supply;
- (g) require adequate information to be given to the consumer or user;
- (h) prevent fraud or misrepresentation arising from misleading advertising or labelling.

shall, on the recommendation of the Bureau, be declared by order of the Minister to be compulsory standard.

(2) Minister shall publish in the Gazette give at least thirty days notice of his intention to make an order declaring a compulsory standard and shall there by indicate the date on which it is intended that the compulsory standard shall come into effect and having regard to paragraphs (a) to (h) of subsection (1) of this section, the order shall state the purposes for which the standard is intended.

(3) Whenever the Minister has declared a standard to be a compulsory standard, a person shall not sell a commodity unless it complies with that standard or has been manufactured, produced, processed, or treated in accordance with that standard.

National
Standard.

17. The Minister may upon recommendation of the Bureau and subject to the provisions of this Act, by notice published in the Gazette declare any standard, specification, code of practice prescribed by the Bureau to be a National Standard.

Restriction of
use the word
"Standard".

18.(1) Except with the consent of the Bureau, a person shall not carry on business or perform any function under a name which contain the word "Standard".

(2) Any person who contravenes the provisions of subsection (1) of this section, commits an offence.



Deficient
commodities.

19. Subject to the provisions of this Act, where a standard of commodities is tested or examined and found to be not in conformity with the required standard, such commodities shall neither be exported nor released for domestic use and shall be disposed off as the Bureau may decide.

Examination
of imported
commodities.

20. (1) Where commodities for which a standard has been declared are produced or manufactured outside Zanzibar, the Bureau shall authorize any member of its staff or any suitable qualified person to examine the commodities upon landing and all customs entries in respect of such commodities

(2) A person authorized to examine commodities under this section may take sample thereof and submit the samples to the Bureau for analysis or testing.

(3) Where imported commodities are found to bear any mark so closely resembling a standard mark as to be misleading or which falsely represents a mark of compliance with specification formulated or adopted elsewhere in Zanzibar, the commodities shall not be entered for domestic use unless the mark is removed or substantially changed.

(4) Where the standard declared is compulsory, commodities referred to in subsection (1) of this section may be entered for domestic use, only if:-

- (a) upon an examination it is found that the commodities comply with the compulsory standard: or
- (b) they are accompanied by a certificate of examination and compliance with the compulsory standard issued by a laboratory or other similar institution in the country origin recognized by the Bureau.

(5) Where there is a reason to believe that commodities imported or about to be imported are likely to be a danger to the health or safety of consumers or likely to threaten the environment, where a standard exists for such commodities or not, the Bureau may require the importer or vendor to submit such commodities for testing, and the commodities may only be entered for domestic use or sold if:-

- (a) upon examination of the commodities they are found to be safe; or
- (b) the importer or vendor show proof satisfactory to the Bureau that the commodities are safe.

(6) Where imported commodities fail to conform to the required standards such commodities shall not be released for sell or domestic use, and the supplier or importer shall be required to remove a commodities from Zanzibar within two weeks or disposed off as the Bureau may reasonably decide.



(7) In the event of disposal the rejected commodities, the cost of disposing such commodities shall be borne by the supplier or importer as the case may be.

PART IV STANDARDS INSPECTION

Appointment
of Standard
Inspector.

21. (1) The Board shall, at the request of the Bureau, appoint qualified officer of the Bureau or qualified public officer as a Standards Inspector for the purpose of this Act.

(2) Every Standards Inspector appointed under subsection (1) of this section, shall be furnish with a certificate of appointment signed by the Director General stating that the person is authorized by the Board to act as a Standard Inspector for the purposes of this Act.

(3) The Board may, at the request of the Bureau, cancel the appointment of the Standard Inspector as may reasonable decides.

Powers of
Standard
Inspector.

22. (1) A Standards Inspector may, for the purposes of this Act, at all reasonable times:-

- (a) enter upon any premises at which there is or is suspected to be a commodities in relation to which any compulsory standard or standards mark exist;
- (b) inspect and take samples to any commodities or any material or substance used or likely to be or capable of being used in its manufacturing, production, processing or treatment and cause, any container within which there is or is suspected to be any quantity of the commodities, material or substance, to be opened;
- (c) inspect any process or other operation which is or appears likely to be carried out in those premises in connection with the manufacturing, production, processing or treatment of any commodities in relation to which a compulsory standard or standard mark exists;
- (d) require from any person the production of any book, notice, record, list or other document which is in the possession or custody or under the control of that person or for any other person on his behalf and which the Inspector believes to be relevant to any inspection or inquiry being carried out by him;
- (e) examine and copy any part of any book, notice, record, list or other document which appears to him to have relevance to his inspection or inquiry and require any person to give an explanation of any entry in it and take possession of that book, notice, record, list or other document as he believes may afford evidence of an offence under this Act, and;



- (f) require information relevant to his inquiry from any person whom he reasonably believes to be or to have been employed at the premises or to have in his possession or custody or under his control any article referred to in this subsection.

(2) A Standards Inspector entering any premises under subsection (1) of this section shall, if so required produce the certificate issued to him in accordance with the provisions of section 21(2) of this Act.

Commission
of an offence
by a body
corporate.

23. Where any offence under this Act is committed by a body corporate or any person who, at the time of commission of that offence was holding the office or an officer with management of the affairs of such body corporate, the head of that body corporate or officer hold that office shall be liable to be proceeded against and punished accordingly, unless he proves to the satisfaction of the court that he had no knowledge and could not by the exercise of reasonable diligence, have had knowledge of the commission of the offence.

Liability of
employer or
agent.

24. Where any offence under this Act is committed by a person as an agent or employee then, the principal or employer commits an offence and shall be liable on conviction to be proceeded against and punished accordingly.

Compounding
of offence.

25.(1) The Bureau may compound an offence committed by a person under this Act or its regulations by requiring him to pay the fine prescribed for such an offence, provided that the person:-

- (a) admits in writing that he has committed an offence and shall take due care not to repeat the same; and
- (b) pays other sums payable under this Act or its regulations.

(2) If criminal proceedings have been instituted against a person the power conferred under this section shall not be exercised without the written consent of the Director of Public Prosecutions of Zanzibar

(3) If the fine imposed under subsection (1) of this section is not paid on demand, the Bureau may institute court proceedings or may take steps for the recovery of the fine in any manner permitted by this Act.

(4) The imposition of a fine under subsection (1) of this section shall not be regarded as conviction of the alleged offence, provided that, the sum is paid in full no prosecution for the alleged shall be instituted or maintained.

General
penalty.

26.(1) Where a person contravenes any of the provisions of this Act or its regulations commits an offence and if no penalty is specifically provided for, shall be liable to a penalty under this section.



(2) Any person who is convicted of an offence for commodities which have a value of not less than one million shillings shall be liable to a fine of not more than one hundred thousand shillings and not exceeding five hundred thousand shillings or imprisonment for a term of not more than three months or both such a fine and imprisonment.

(3) Any person who is convicted of an offence for commodities which have a value of one million but not exceeding five million shillings shall be liable to a fine of not less than five hundred thousand shillings and not exceeding five million shillings or imprisonment for a term of not more than six months or both such a fine and imprisonment.

(4) Any person who is convicted of an offence for commodities which have a value of more than five million shillings shall be liable to a fine of not less than one million shillings and not exceeding thirty million shillings or imprisonment for a term of not less than one year but not more than five years or both such a fine and imprisonment.

(5) Upon conviction of a person for an offence under this Act, the court may, in addition to any other penalty which may be imposed, order the confiscation of all or any part of, any commodities so confiscated shall be disposed off in the manner which the court directs.

PART V FINANCIAL PROVISIONS

Sources
of Fund.

27.(1) The Bureau shall have its own fund.

(2) There shall be paid into the fund:-

- (a) a subvention from the Government;
- (b) all such sums of moneys as may be paid as fees under this Act; and
- (c) all such sums of money as may be received by the Bureau for its operations or from any other sources.

(3) The Bureau may, with the approval of the Minister, build up reserves.

Application
of Funds.

28. The funds of the Bureau may be applied in defraying the following expenditure:-

- (a) undertaking measures for standardization, quality assurance, quality control, testing, calibration and certification of goods and services;
- (b) salaries, fees, allowances, and other payments to the staff of the Bureau;
- (c) remuneration, fees and allowances of the member of the Board;
- (d) capital and operating expenses including maintenance of the properties of the Bureau; and



- (e) any other expenditure authorized by the Board in the discharge of power, functions and contractual obligations of the Bureau.

Annual and
Supplementary
budget.

29.(1) Not less than two months before the beginning of any financial year, the Board shall pass a detailed budget (in this Act called "the annual budget") of the amounts respectively expected to be received or to be disbursed by the Bureau during that financial year.

(2) Where, in any financial year, the Bureau requires to make any disbursement not provided for in the annual budget for that year, the Board shall, at a meeting, pass a supplementary budget detailing the disbursement.

(3) Where the Board has approved any annual budget or any supplementary budget, the budget or as the case may be, that budget shall be binding on the Bureau and the Bureau shall confine the disbursements with the items and amounts contained in the approved budget.

Audit of
Accounts.

30.(1) The Bureau shall provide or cause to be provided and kept proper books of accounts and records with respect to:-

- (a) the receipt and expenditure of money by, and financial transactions of the Bureau;
- (b) the assets and liabilities of the Bureau, and shall cause to be made out for every financial year a balance sheet showing the details of the income and expenditure and all its assets and liabilities of the Bureau.

(2) Within six months of close of each financial year the accounts including the balance sheet of the Bureau in respect of that financial year shall be audited by Controller and Auditor General or any auditor appointed by the Board and approved by the Controller and Auditor General.

(3) The audited accounts shall be submitted to the Board and if adopted by the Board, shall be endorsed with a certificate that it has been so adopted.

(4) As soon the accounts of the Bureau have been audited, and in any case not later than three months after the close of the financial year, the Board shall submit to the Minister a copy of the audited accounts together with a copy of the report on the statement made by the Auditor.

Annual Report
of the Director
General.

31.(1) The Director General shall, at the end of each financial year, prepare a report on activities of the Bureau and submit that report including balance sheet of the fund, to the Minister after approval by the Board.



(2) The Minister shall submit the annual performance and financial accounts reports to the House of Representatives.

PART VI GENERAL PROVISIONS

Minister may give direction to Board.

32. Subject to the provisions of this Act, the Minister may give directions of a general nature to the Board relating to the operation of the undertaking of the Bureau and the Board shall give consideration to every direction so given.

Standards marks not to be claimed.

33. The fact that any commodity complies or is alleged to comply with a Compulsory Standard or has been or is alleged to have been manufactured, processed or treated in accordance with that standard or that a standards mark is used in connection with any commodity, shall not give rise to any claim against the Bureau or the Board or any of its members or employees.

Protection of the Board or an officers of the Bureau.

34. No matter or thing done by any member of the Board or an officer of the Bureau shall, if done bona fide in the execution or purported execution of the functions conferred upon that member or officer by this Act or by regulations or by-laws made under it, render the member or officer personally liable for that matter or thing.

Disclosure of information.

35. Any person who is or has been engaged in the administration of this Act and disclose, except for the purpose of the exercise of his functions or when required to do so by a court or under any written law, any information acquire by him in the exercise or purported exercise of his functions under this Act to any other person commits an offence and on convictions shall be liable to penalties.

Regulations.

36.(1) The Minister shall make regulations generally for the better carrying out the provisions and purposes of this Act.

(2) Without prejudice to the generality of subsection (1) of this section, the regulations may provide for :-

- (a) provision in respect to standards;
- (b) provision for matters in respect of fees, levies and other charges which shall be payable;
- (c) the amount of the fees, levies and other charges, and the persons who shall be liable for their payment thereof;
- (d) procedure for application of licence and forms to be used;
- (e) matters connected with appeals;



- (f) provisions for required persons to supply relevant information;
- (g) staff and financial regulations; and
- (h) any matter which, under this Act, is to be prescribed, and in particular the procedure to be followed by the Bureau in the performance of any of its functions under this Act.

Transitional provisions.

37.(1) Any action taken under the Zanzibar Fair Trading and Consumer Protection Act, No. 2 of 1995, the Zanzibar Food, Drugs and Cosmetics Act, No. 2 of 2006, the Weights and Measures Act, No. 4 of 1983 prior to the commencement of this Act shall be deemed to have been taken under the provisions of this Act.

(2) Any action commissioned by the government with respect to standards, standardization, and quality assurance prior to the commencement of this Act, shall also be deemed to be taken under this Act.

SCHEDULE
PROCEEDINGS OF THE BOARD
[Made under section 8(4)]

Meeting of the Board and Procedures.

1.(1) The Board shall meet at least once every three month, for transaction of its business.

(2) The Chairman may at any time call a special meeting of the Board when need arises.

(3) The Board may appoint one of its members to be Vice-Chairman.

(4) The Chairman shall preside over every meeting of the Board and in his absence the Vice-Chairman shall preside the meeting.

(5) The quorum of the meeting of the Board shall be more than half of the total number of members of the Board.

Decision of the Board.

2. The decision of the Board shall be made by the majority of votes of members present and voting and in the event of an inequality of votes the Chairman shall have casting votes.

Record of proceedings of the Board.

3. The Board shall record or cause to be recorded and kept minutes of all business conducted or transacted in its meeting that shall be read and confirmed, or amended and confirmed, at the next ordinary meeting of the Board and signed by the Secretary and the Chairman of the meeting.

Failure of member to attend meetings.

4. Where any member abstain himself from three consecutive meeting of the Board without reasonable excuse, the Board shall advise the appointing authority to that effect and the appointing authority may terminate the appointment of the member and appoint another member in his place.



Seal of the Board. 5.(1) The Seal of the Board shall be in the manner, shape, size and form which the Board may determine.

(2) The seal shall be authenticated by the signature of the Chairman, the secretary or any officer of the Bureau authorized to act in that behalf by the Board.

Allowance of the members of the Board. 6.(1) The members of the Board shall be paid from the fund of the Bureau such allowances, Board fees and other remuneration as the Minister may determine from time to time.

(2) Every member of the Board is to be paid remuneration limited to those set out in section 10 of the Public Investment Act, No 4 of 2002.

PASSED in the House of Representatives of Zanzibar on 25th day of January, 2011.

{IBRAHIM MZEE IBRAHIM}
CLERK OF THE HOUSE OF REPRESENTATIVES
ZANZIBAR.