

**THE ZANZIBAR FLAG
ACT NO.12 OF 2004**

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ACT NO. 12 OF 2004

I ASSENT

**{ AMANI ABEID KARUME }
PRESIDENT OF ZANZIBAR
AND
CHAIRMAN OF THE REVOLUTIONARY COUNCIL**

12th November, 2004

**AN ACT TO PROVIDE FOR THE ZANZIBAR FLAG
AND TO CONTROL AND REGULATE THE USE
OF THE ZANZIBAR FLAG**

ENACTED by the House of Representatives of Zanzibar.

**PART I
PRELIMINARY PROVISIONS**

1. This Act may be cited as the Zanzibar Flag Act, 2004 and shall come into force on a date the Minister may, by notice published in the Gazette, appoint.

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

"Likeness" includes a photographic or pictorial reproduction, a sketch, a painting or any other form of reproduction or representation whatsoever and of any size or shape whatsoever;

"Minister" means the Minister responsible for Regional Administration;

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

"Zanzibar Flag" means a flag of the description specified in the Schedule to this Act.

**PART II
ZANZIBAR FLAG**

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

4. The Zanzibar Flag shall not be used in such other places where there are restrictions under the law or practice regarding the use of flags.

5. The Minister may make regulations for the better carrying out of the purposes and provisions of this Act in relation to the use of the Zanzibar Flag.

6. The House of Representatives may, by law amend or modify the Zanzibar Flag.

**PART III
OFFENCES AND PENALTIES**

7.(1) No person shall use the Zanzibar Flag, or any likeness of the Zanzibar Flag -

- (a) as a trade mark for an article sold or offered for sale;
- (b) in furtherance of or as an advertisement for any trade, business, industry, calling or profession;
- (c) on any article, either attached thereto or reproduced thereon, which is sold, offered for sale or intended to be sold;
- (d) on any article, either attached thereto or reproduced thereon, which is used by any person otherwise than for a purpose approved by the Minister.

(2) The Minister may, by writing under his hand, exempt any person or class of persons or any article or category of articles from any or all of the provisions of sub-section (1) of this section, subject to such terms and conditions as the Minister may think fit to impose.

8. Any person who does any act or utters any word or publishes any writing with intent to insult or bring into contempt or ridicule the Zanzibar Flag or any likeness thereof shall be guilty of an offence.

9.(1) Any person who contravenes the provisions of sub-section (1) of section 7 or being a person to whom the provisions of sub-section (2) of section 7 applies, contravenes any of the terms and conditions imposed by the Minister, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five hundred thousand shillings or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

(2) Any person who contravenes the provisions of section 8 of this Act shall be guilty of an offence and shall be liable on conviction to a fine not exceeding seven hundred thousand shillings or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

10. No person shall be prosecuted for an offence under this Act without the consent in writing of the Director of Public Prosecutions.

SCHEDULE

{ Made Under Section 3 }

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

PASSED in the House of Representatives on the 11th day of October, 2004.

{KHAMIS JUMA CHANDE}
CLERK OF THE HOUSE OF REPRESENTATIVES