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**ACT NO. 4 OF 2015**

**I ASSENT**

**{DR. ALI MOHAMED SHEIN}  
PRESIDENT OF ZANZIBAR  
AND  
CHAIRMAN OF THE REVOLUTIONARY COUNCIL**

**29<sup>th</sup> May, 2015**

**AN ACT TO ESTABLISH ZANZIBAR PUBLIC LEADERS  
CODE OF ETHICS AND ETHICS COMMISSION AND  
OTHER MATTERS CONNECTED THEREWITH**

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**ENACTED** by the House of Representatives of Zanzibar

**PART I  
PRELIMINARY PROVISIONS**

Short  
title and  
Commence-  
ment.

**1.** This Act may be cited as the Zanzibar Public Leaders Code of Ethics Act of 2015 and shall come into operation on such date as the Minister may by notice published in the Gazette appoint.

Application.

**2.** This Act shall apply to Public Leaders and Political Leaders who include Members of House of Representatives and Judicial Service Leaders, all leaders under the service of the Revolutionary Government of Zanzibar or working on behalf of Revolutionary Government of Zanzibar whether in or outside Zanzibar.

Interpretation.

**3.** In this Act, unless the context requires otherwise:-

- “Agent” in relation to the business or affairs of a leader, means a person who makes decisions or acts on behalf of the Public Leader;
- “Assets” means a thing, item or property owned by a Public Leader which has value and can be sold or used to pay debt;
- “Authorised person” means a person or body authorised by law to discipline the Public Leader in relation to whom the expression is used;
- “Benefit” includes gift, payment, subscription, advance payment, loan, commission, forbearing, gratuity or favour whether monetary or in kind, rendering services or deposit of money or anything of value including food, lodging, transportation or entertainment or reimbursement;
- “Benefit of nominal value” means benefit accrued from gift or hospitality which its value shall be mentioned by the Minister in the Regulation;
- “Chairman” means a Chairman appointed under section 5 of this Act;
- “Child” means a person under eighteen years of age in relation to whom a Public Leader is a parent or guardian;
- “Commission” means the Commission of Public Leaders Code of Ethics as established under section 4 of this Act;
- “Concerned authority” means and includes the President, Speaker of the House of Representatives, Chief Justice of Zanzibar, Secretary of the Revolutionary Council and Chief Secretary and any other Public Leader of Public Institution concerned;
- “Conflict of interest” refers to a situation where a Public Leader has a personal interest on the public issue of which he has authority on or participates in decision making;

“Constitution” means the Zanzibar Constitution of 1984;

“Declaration of asset” means a declaration of income, assets, cash money, saving account, saving in other financial institutions, treasury bond, investments, interest from the financial institutions, dividends or any other financial gain from shares, business interests, immovable property, and any other liabilities required to be declared by a Public Leader under the provisions of this Act;

“Dependant” means a person whose means of support is partially or wholly from a Public Leader or person who manages and controls the business or affairs of which the Public Leader is the principal beneficiary;

“Ethics” means Public Leaders Code of Ethics as prescribed in this Act;

“Government” Subject to this Act, Government means the Revolutionary Government of Zanzibar and shall include Regional and District Governments, Town Council, District Council, Municipal Council together with its Corporations;

“Leader” means Public Leader or any other official notified by the Minister in the Official Gazette;

“Minister” means the Minister responsible for Public Leaders Code of Ethics;

“Officer” means any Public Servant employed by the Commission and works on behalf of the Chairman;

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

“Public body” means:-

- (a) anybody or institution established by law and administered by or owned by the Government;
- (b) any corporation, council, board, committee or other body which has power to act pursuant to any written law;

“Public Leader” means any person holding any of public posts in accordance with the provisions of the Constitution or any other law of Zanzibar and those provided in the First Schedule of this Act;

## PART II

### ESTABLISHMENT OF THE PUBLIC LEADERS CODE OF ETHICS COMMISSION

**4.** There is hereby established the Zanzibar Public Leaders Code of Ethics Commission which will be the Government Agency. Establishment of the Commission.

**5.** The Commission shall include the Chairman and two Commissioners Composition of the Commission.

- (a) The Chairman shall be the Chief Executive Officer and shall be responsible for the day to day functions of the Commission.
- (b) Commissioners appointed under this section shall be part time officials.

**6.-(1)** The Chairman of the Commission shall be appointed by the President and shall hold the office for a renewable five years term. Appointment and Security of Tenure of the Chairman.

(2) The Chairman may be removed from office for reason of being unable to perform his duties or for misconduct.

For purpose of this subsection misconduct means violation of moral ethics as mentioned under section 18 of this Act.

(3) The Chairman may be removed from office by the President if the question of removal from office has been referred to a Special Commission appointed for that purpose and the Special Commission recommends to the President that Chairman should be removed from office due to reasons mentioned under sub section (2) of this section.

(4) The President shall appoint a Judge as Chairman of a Special Commission and two other members who are Judges or retired Judges of the High Court of Zanzibar, or High Court of the Tanzania Mainland or Court of Appeal of the United Republic of Tanzania to investigate the allegations of removing the Chairman.

Qualifica-  
tions of the  
Chairman.

**7.-(1)** A person shall be eligible to be appointed as Chairman if he:

- (a) is a Zanzibari; and
- (b) has qualifications to be appointed a High Court Judge.

(2) Without prejudice to the provisions of sub section (1) of this section, a person shall not be appointed as a Chairman unless he is of a high integrity, experience and honest.

(3) A person shall not qualify for appointment as a Chairman if he:

- (a) is a member of the House of Representatives or Parliament; or
- (b) is a person who has been declared bankrupt; or
- (c) is a person who has been convicted by a court or any other disciplinary board for dishonesty or mistrust or criminal offences.

Appointment  
of Commis-  
sioners.

**8.** The Commissioners shall be appointed by the President and shall be assistants to the Chairman in the performance of the functions of the Commission and shall be part of the Commission during the receiving, hearing and determination of the claims relating to Leaders Ethics.

**9.** A person shall be eligible to be appointed as Commissioner if he has the qualifications as mentioned under section 7 except for subsection 7(1)(b). Qualifications of the Commissioner.

**10.** The Chairman and Commissioners shall assume office after taking an oath before the President. Oath.

**11.-(1)(a)** The Commission may employ staff and assistants for all professional levels required in accordance with the Public Service Act and its Regulations. Other Staff.

(b) a staff shall not be transferred to or from the Commission without prior written consent of the Chairman except for Presidential appointment.

(c) a staff of the Commission shall not assume his office unless he has taken an oath before the Chairman.

(2) Without prejudice to the provisions of this section, the Commission may enter into a contract of service with a consultant, an expert or an independent investigator as may be necessary for the proper performance of the functions of the Commission.

**12.-(1)** Functions of the Commission shall be to:-

Functions of the Commissions.

(a) receive and put in its custody declaration of assets made by Public Leaders under this Act;

(b) receive allegations and notifications of breach of the Code from the public;

(c) make inquiry into any alleged and or suspected breach of the Code by any Public Leader;

(d) receive, investigate and entertain any complaint concerning breach of Code of Ethics in any public body;

- (e) receive and investigate any matter that, in the Commission's opinion, raises suspicion that any of the following have occurred or are about to occur:-
  - (i) conduct constituting breach of Code of Ethics;
  - (ii) conduct likely to allow, encourage or cause an act constituting breach of code of ethics;
- (f) investigate the conduct of any leader that, in the opinion of the Commission, is conducive to breach of ethics under this Act;
- (g) hear and determine all allegations of breach of Public Code of Ethics to Public Leader;
- (h) declare any breach of ethics;
- (i) assist any law enforcement agency of the Government in the investigation of breach of ethics;
- (j) at the request of any person or institution, to advise or assist the person or institution on ways in which that person or institution may prevent from breaching ethics;
- (k) educate the public on the importance of Code of Ethics;
- (l) make inquiry into any act which for the Commission's opinion is required to be investigated;
- (m) advise, direct and guide in relation to the Public Code of Ethics;
- (n) carry out any other functions conferred to the Commission under this Act or any other Law.

(2) The Commission may convey any complaints for breach of Code of Ethics to disciplinary or criminal institutions for inquiry.

(3) In performing the functions of the Commission under this Act, the Commission shall not be subject to the direction or control of any person or authority.

**13.** In performing the functions of the Commission under this Act, the Chairman shall have powers to:

Powers of  
Chairman.

- (a) authorize any officer of the Commission to conduct an inquiry or investigation into any alleged or suspected breach under this Act;
- (b) require any person in writing to produce, within a specific time, all records and any other documents in relation to allegations to be investigated within specified period;
- (c) require any person or institution within a specified time, to provide any information or to answer any questions which the Chairman considers necessary in connection with any inquiry or investigation which the Chairman is empowered to conduct under this Act.

**14.-(1)** The Commission in the performance of its functions, may work in co-operation with any person or body it may think appropriate, and it shall be the duty of such person or body to afford the Commission every co-operation.

Co-operation  
with other  
bodies.

(2) Notwithstanding the provision of subsection (1) of this section, the Chairman or any officer conducting an investigation into any allegation or suspicion to have been committed under this Act, may request any person for assistance in the discharge of his duties under such person's capacity.

**PART III**  
**CODES OF ETHICS APPLICABLE TO PUBLIC LEADERS**

Declaration  
of assets.

**15.**-(1) Every Public Leader shall, except where the Constitution or any other written law provides otherwise:-

- (a) within the period which the Minister announces after this Act comes into operation;
- (b) within thirty days after taking office;
- (c) at the end of each calender year; and
- (d) at the end of his term of office, submit to the Chairman a written declaration of assets, in a form as prescribed in the Second Schedule of this Act, all assets owned by him or in possession of his agent, or liabilities owed to him, his spouse, his children or children under his guardianship.

(2) The Public Leader shall, in making the declaration of assets under this section:-

- (a) state the monetary value of the declared assets and the source or the manner in which he has acquired the assets;
- (b) state or disclose his debts if any and any other liabilities.

Declarable  
assets.

**16.**-(1) Declarable assets inside or outside the country, shall include:-

- (a) cash and deposits in a bank or other financial institution except social security contribution, annuities and insurance policy;
- (b) Treasury Bills and other similar investments in securities of fixed value issued or guaranteed by the Government or agencies of the Government;

- (c) interest on money deposited in a bank, building society or other financial institution;
- (d) dividends or other profits from stocks or shares held by a Public Leader in any company or other body corporate;
- (e) interests in businesses that do not contract with the Government, and do not own or control publicly traded securities, other than incidentally, and whose stocks and shares are not traded publicly;
- (f) farms under or without commercial operation; and
- (g) real property which are beneficially owned and administered at arm's length and which are not non-declarable assets.

(2) The Minister shall have the power to increase or decrease the list of declarable assets after getting the approval from the House of Representatives.

**17.** For existence of a conflict of interest on the part of a Public Leader:

Declaration of Interest.

- (a) where a Public Leader who is the head of Institution has personal interest whether financial or otherwise in which matter its decision falls under his final authority, he shall declare the said interest to the Commission; or
- (b) where a Public Leader who is not the head of Institution has personal interest whether financial or otherwise in which matter its decision falls under his final authority, he shall declare the said interest to the head of the Institution.

**18.-(1)** Subject to the provisions of this Act, the Public Leader shall observe moral ethics and shall not have the following conducts:-

Moral Ethics.

- (i) drunkenness;
- (ii) prostitution;
- (iii) talking nonsense;
- (iv) disclosure of secret;
- (v) negligence and neglect citizen's problems;
- (vi) family and parents abandonment;
- (vii) associating with unethical people;
- (viii) failure to pay debts;
- (ix) using abusive and aggressive language;
- (x) violence; or
- (xi) sexual harassment.

(2) Public Leader shall not involve himself in criminal acts including fraud, theft and rape.

(3) Public Leader shall avoid discriminative acts and languages which may lead to division in society ethnically, religiously and regionally.

President  
to work for  
promotion  
of integrity  
in Public  
office.

**19.-(1)** Subject to this Act, the President may work towards the evolution of ethical standards designed to provide a basis for enhancing public confidence in the integrity of Public Leaders and in the decision-making process in the Government and in the public sector in general.

(2) In discharging the duty imposed on him by this Act, the President shall consider the following:-

- (a) that a Public Leader shall not put himself in a position where his personal interest conflicts with his responsibility;
- (b) that a Public Leader shall not accumulate wealth illegally;
- (c) that a Public Leader shall not involve himself in corruption and economic crimes;
- (d) that a Public Leader shall not put himself in disgrace.

**20.** Public Leader shall be considered to have breached the Code if Breach of Code. he knowingly commits the following:-

- (a) improperly using or benefiting from information which is obtained in the course of his official duties and which is not generally available to the public;
- (b) disclosing any official information to unauthorised persons;
- (c) exerting any improper influence in the appointment, promotion, disciplining or removal of a public officer;
- (d) directly or indirectly converting Government property for personal or any other unauthorised use for the purposes of reaping private economic benefit;
- (e) fails, without reasonable cause, to make a declaration of assets;
- (f) knowingly makes false or misleading declaration of his assets in a material particular;
- (g) violates moral ethics;
- (h) misuse of his office to benefit himself or his relatives
- (i) violates any provision of this Act.

Non breach  
of Code of  
Ethics.

**21.** Notwithstanding the provision of section 20, a Public Leader shall not be subjected to the breach of Code by soliciting or accepting:-

- (1) benefits of nominal value, including customary hospitality and traditional or token gifts;
- (2) gifts from a friend or close family member if such a leader is not implementing his public duties;
- (3) gift from any person in or outside the country if he has declared such a gift and its value to his accounting officer;
- (4) transfers pursuant to an enforceable property right of the Public Leader or pursuant to a contract for which full value is given and declare the received gift and its value and submit the declaration of the gift to the accounting officer concerned or;
- (5) Doing anything in good faith as far as the Commission is satisfied.

#### **PART IV ADMINISTRATION AND ENFORCEMENT**

Register of  
assets and  
interests.

**22.**-(1) There shall be register of assets and interests.

(2) After receiving the declaration of assets under this Act, the Chairman shall register all declared information of assets in the register.

(3) Within one month the Chairman shall publish the Leader who submitted the declaration of assets in the Official Gazette.

(4) The registration book shall be confidential and shall only be inspected upon the permission of the Minister or by order of the Court of Law.

**23.**-(1) An allegation that a Public Leader has breached codes under this Act may be made to the Chairman by a person in writing signed by the complainant and giving the complainant's name, address and particulars of the breach or breaches alleged;

Complaints of breach of Code of Ethics.

Provided that the Chairman shall not refuse an allegation submitted to him for the reason only of lack of signature, names or address of the Complainant.

(2) Upon receipt of a complaint or allegation against a Public Leader in relation to non compliance with the Code, the Chairman shall cause thorough preliminary investigation about the complaint or allegation, and if he is satisfied that the investigation discloses a prima facie case for which a Public Leader is required to answer, such Leader shall give a written explanation against such complaint or allegation;

(3) In compliance with the principles of natural justice the Chairman after receiving the written explanation from the alleged Leader shall convene hearing date of the purported claim.

**24.**-(1) Subject to the provisions of this Act, the Chairman may summon any person who, in its opinion, is able to give any information relating to any matter relevant to any inquiry being conducted by it to furnish it with any such information and to produce any document, papers or things which may be in the possession or under the control of that person and may, by order, require any such person to attend at a time and place specified in such order.

Procuring information and attendance of witnesses.

(2) Subject to this Act, a person who gives or is required to give information by, or ordered to attend to give evidence or to produce a document, paper or thing before the Chairman shall take an oath.

**25.** The Commission may, when deems necessary, require a technical advice or any other expertise during the hearing of the complaint.

Technical advice on hearing of complaints and allegations.

Procedures  
of hearing  
complaints  
or allega-

**26.**-(1) Subject to the provisions of section 23 of this Act, any complaints or allegations received by the Chairman shall be heard before the Commission in attendance of both the complainant and alleged person.

(2) The complainant and the Public Leader alleged to breach the Code shall not be presented by a lawyer.

Commission  
to determine  
claim.

**27.**-(1) After hearing of the complaint or allegation and the evidence adduced, the Commission shall determine whether or not the Public Leader has breached the Code of Ethics and shall refer the decision to the concerned authority for further action if no appeal instituted.

(2) Subject to this section the Chairman shall proclaim the Commission's decision against complaints or allegations.

(3) If the Public Leader is not satisfied with the decision of the Commission given under subsection (1) of this Section, he shall have the right to appeal or to apply for review against the decision of the Commission at the High Court of Zanzibar.

Admissible  
evidence.

**28.** Without prejudice to other laws, evidence adduced before the Commission may be admissible before the Court.

Annual  
Report

**29.**-(1) The Chairman shall prepare an annual report and shall submit it to the President within three months after the end of the financial year concerned.

(2) The annual report shall contain description of the Commission's activities

(3) Upon receipt the report under sub section (1) of this section, the President shall order the Minister to lay the report before the House of Representatives in the forthcoming session.

**PART V  
OFFENCES AND PUNISHMENT**

**30.** A concerned authority shall take any of the following disciplinary actions against a Public Leader for breach of code of which punishment is not specifically provided:- Disciplinary measures.

- (a) warning and caution;
- (b) demotion;
- (c) suspension;
- (d) dismissal;
- (e) removal from office;
- (f) advising the leader to resign ; and
- (g) salary deduction.

**31.-(1)** Any person who:- Offences.

(1) Without justification or lawful excuse:-

- (a) obstructs or hinders a person acting in the exercise of his functions under this Act; or
- (b) refuses any directives ordered by the Chairman under this Act; or
- (c) refuses summon from the Commission.

(2) Divulges without lawful justification any information which he or she has obtained in the course of any duty conferred by this Act.

Commits an offence and is liable on conviction to imprisonment of not less than one year but not exceeding two years or fine not less than one million but not exceeding two millions or both such fine and imprisonment.

False  
Allegation.

**32.** Any person who, in providing information, or answering any question, willfully provides any false information or makes any false statement on any matter under this Act, shall commits offence and on conviction shall be liable to a fine of not less than one million and not exceeding two millions or to an imprisonment for a period of not less than six months and not exceeding one year or to both such fine and imprisonment.

## PAR VI FINANCIAL PROVISIONS

Budget and  
funds of the  
Commission.

**33.-(1)** The Commission shall hold its own vote through which all the funds appropriated or accrued for the use of the Commission shall be disbursed.

(2) The Paymaster General shall appoint an accounting officer for the vote of the Commission and the Accountant General shall, subject to the provisions of this Act, allocate adequate staff to undertake the accounting work of the Commission.

(3) The Funds of the Commission shall include:-

- (a) such amount of money appropriated by the House of Representatives in each financial year for the use of the Commission;
- (b) grants, donation and other funds received by the Commission from other eligible sources.

Account and  
Audit.

**34.-(1)** The Commission shall keep or cause to be kept proper books and records of account of its income, expenditure, assets and liabilities.

(2) The annual accounts of the Commission shall be prepared and audited by the Controller and Auditor General or any other Auditor approved by the Controller and Auditor General.

Estimate.

**35.** The Commissioner shall within three months before the end of each financial year, prepare and submit to the Minister, estimates

of income and expenditure of the Commission for the next ensuing financial year.

**36.**-(1) The Chairman shall cause an annual report to be prepared for each financial year and shall submit to the Minister within three months after the end of the year to which it relates. Annual Report.

(2) The annual report shall contain the financial statements of the Commission.

(3) Upon receipt of the report under sub section (1) of this section, the Minister shall lay the report before the House of Representatives.

## **PART VII MISCELLANEOUS PROVISIONS**

**37.**-(1) The Chairman may, for the purpose of performing his functions under this Act, inspect any bank account which the Commission wants to verify its accounts, share accounts, purchase accounts, expense accounts, any other safe or deposit book in a bank. Powers of the Chairman.

(2) Subject to the provision of subsection (1) of this section, the Chairman shall order the head of the Financial Institution concerned to deliver the information in writing and the information shall be confidential between the Financial Institution and the Commission.

**38.**-(1) No act or thing done or omitted to be done by the Chairman, Commissioner or an officer of the Commission shall, if the act or omission was done or omitted to be done bona fide in the exercise of his functions under this Act, render the officer personally liable. General Immunity.

(2) Action or claims whether criminal or civil including disciplinary measures shall not be filed or proceeded against any person because of:

- (a) any assistance provided to the Commission; and
- (b) any disclosure of information given to the Commission.

(3) The provision of subsection (2) of this Section, shall not apply to a person for disclosure of information believing the information is not true.

Principle to be invoked by Code.

**39.** Without prejudice to the generality of any section of this Act, the Third Schedule of this Act, shall be read together as Public Leaders' Code of Ethics as stipulated in this Act.

Regulation.

**40.** The Minister may make regulations for better carrying out the provisions of this Act.

Amendment.

**41.** The Minister may, in consultation with the Commission, amend any Schedule of this Act after the approval of the House of Representatives.

Declaration of assets of Chairman and Commissioners.

**42.** The President shall lay down procedures for the Chairman and Commissioners to declare their assets.

## **FIRST SCHEDULE**

### **PUBLIC LEADERS (Made under section 3)**

1. The President of Zanzibar
2. First Vice President of Zanzibar
3. Second Vice President of Zanzibar
4. Chief Justice
5. Speaker of the House of Representatives
6. Ministers
7. Attorney General
8. Deputy Ministers
9. President Advisors
10. Secretary to the Revolutionary Council and Chief secretary

11. Judges
12. Chief Kadhi
13. Mufti
14. Deputy Speaker of the House of Representatives
15. Chairman of the Zanzibar law Review Commission
16. Members of the House of Representatives
17. Controller and Auditor General
18. Executive Secretary of the Planning Commission
19. Principal Secretaries
20. The Director of Public Prosecutions
21. Secretary to the Public Service Commission
22. Clerk of the House of Representatives
23. Deputy Secretary to the Revolutionary Council
24. Deputy Principal Secretary
25. Secretary to the President
26. Regional Commissioner
27. District Commissioner
28. Chairman of the Zanzibar Electoral Commission
29. Commissioners of the Zanzibar Electoral Commission
30. Secretary to the Zanzibar Law Review Commission
31. Deputy Attorney General
32. The Deputy Director of Public Prosecutions
33. Director Generals
34. Commissioners (employed in the Public Service)
35. Regional Administrative officer
36. Chief Accountant of the Zanzibar Government.
37. Executive Secretaries

38. Chief Government Statistician
39. Assistant Chief Accountant of the Zanzibar Government
40. Directors
41. Deputy Secretary to the President
42. Officers in - charge of MDAs
43. Managers and Heads of the Public Enterprises
44. Chief Government Chemist
45. District Administrative officer
46. Registrar of the High Court
47. Deputy Chief Kadhi
48. Deputy Mufti
49. Heads of Public Independent Institutions
50. Heads of Special Departments of the Revolutionary  
Government of Zanzibar
51. Deputy Director General
52. Kadhis
53. Magistrates
54. Deputy Directors
55. Vice Chancellors of the Public Universities
56. Deputy Vice Chancellors of the Public Universities
57. Principals of the public Institutes
58. Mayor
59. Secretary to the District Council
60. Secretary to the Mufti
61. Deputy Secretary to the Mufti
62. Secretary to the Civil Service Commission
63. Secretary to the House of Representatives' Service Commission

64. Secretary to the Judicial Service Commission
65. Secretary to the Special Department Service Commission
66. Accountants of MDAs
67. Internal Auditors of MDAs
68. Tender board Chairman.
69. Presidential Assistants
70. Deputy Presidential Assistants
71. Secretary to the First and Second Vice Presidents of Zanzibar
72. Deputy Secretary to the First and Second Vice Presidents Zanzibar
73. Medical Superintendent
74. Doctor in - charge
75. Chief nursing Officer
76. Matron
77. Board members of the Public Institutes and Institutions
78. Officers of the Revolutionary Council's Secretariat
79. Presidential and Ministerial Appointees

**SECOND SCHEDULE**  
**DECLARATION FORM OF ASSETS**  
**[Made under section 15 and 16]**



**ATTENTION:**

Public Leaders should read the information below before declaring the real property and debts.

**Important Information:**

1. Before you start filling this form read carefully section 15 and 16 of the Zanzibar Public Leaders Code of Ethics Act of 2015. List should show the business asset and self uses assets.
2. List your owned asset and those asset jointly owned with spouse, and asset owned by children below 18 years who are not married. Property which are needed to be declared include:-
  - (a) cash and deposits in a bank or other financial institution within and outside Zanzibar;
  - (b) treasury Bills and other similar investments in securities of fixed value issued or guaranteed by the Government or agencies of the Government;
  - (c) interest on money deposited in a bank, building society or other financial institution;
  - (d) dividends or other profits from stocks or shares held by a Public Leader in any company or other body corporate;

- (e) interests in businesses that do not contract with the Government, and do not own or control publicly traded securities, other than incidentally, and whose stocks and shares are not traded publicly;
  - (f) farms and land under commercial operation and personal uses;
  - (g) real property which are beneficially owned and administered at arm's length and which are not non-declarable assets;
  - (h) assets with interest which are owned by him or her outside Zanzibar.
3. If the space in this form is inadequate, write use another paper and attach it.
  4. If you have been already taken the declaration of your property and debts, you are required to pronounce the increased and decreased assets and debts and your business.
  5. Incomes, real property and debts that you have in and out of Zanzibar you should taken out the declaration including assets, real property, account and commercial owned together in and out of Zanzibar.
  6. This declaration should be submitted to the Chairman of Public Ethics Commission within 30 days after have been take the post, annually end of year and the time of terminate the post.
  7. Is your duty to make sure that the fully declaration form must be send to the Chairman of Public Ethics Commission as directed under section 15 of the Zanzibar Public Leaders Code of Ethics Act.
  8. Breach of Ethics when a leader fails to submit the declaration of assets, liabilities and business within the specific time. Giving out false declaration and information of your assets and liabilities is Criminal offence.
  9. After filling properly, he shall submit the dully filled declaration form to the Chairman of Public Ethics Commission by hand or post it.

**SECTION ONE.**

**Put tick in the appropriate box**

First Declaring  Advance Declaring

**I. Personal Particulars**

1. Surname .....  
(IN BLOCK LETTERS)
2. Other Names.....
3. Gender.....
4. Date of Birth and place.....
5. Nationality.....
6. Zanzibar ID No. ....
7. Marital Status.....
8. Current Address.....
  - (a) Postal Address.....
  - (b) Email.....
  - (c) Residential address.....
  - (d) Office Telephone Number.....
  - (e) Mobile.....
  - (f) Social Network.....
  - (g) Places where you lived.....
  - (h) Period of living in those places.....

## 9. EMPLOYMENT INFORMATION

Institution/ Employer	Type of Employment	Date of Employment	Posts of Appointment/	Annual Salary Elected	Annual Allowance	Period of Services (estimated)

10. Income from other sources.....  
 .....  
 .....  
 .....

## 11. FULL INFORMATION OF INCOME (Declaration date)

(a) Cash .....

(b) Money on Bank account or Finance Institutions as follows;

(1) Name of the Bank	(2) Account Number	(3) Amount	(4) Source of finance	(5) Profit from the account	(6) Self expenditure/ business

NOTES: Attach Bank Statement of 3 months of mentioned Banks.





**(g) Motor vehicles and other means of transport, (boat, airplane, engine) in and out of Zanzibar.**

(1) Type	(2) Registration Number	(3) Chesses and Machine number	(4) Cost/ Value	(5) Source of finance purchased	(6) Place where held	(7) Personal uses/business

**(h) Machine, Industries, mechanical in and out side of Zanzibar.**

(1) Machine, Industry, Mechanical	(2) Place where situated	(3) Amount	(4) Cost/Value	(5) Source of finance purchased

**12. REAL PROPERTY OR ANY OTHER COMMERCIAL BENEFIT IN AND OUT OF ZANZIBAR**

.....

.....

.....

**13. LIABILITIES:**

(a) Debts in favour

.....

(b) Debtors

.....

(c) Debts which you owe

.....

.....

(d) Creditors

.....

**SECTION TWO:  
REAL PROPERTY OF HUSBAND/WIFE OR WIVES**

This part should be declared by the Leader for his husband/wife or wives as it is.

1. **INFORMATION OF REAL PROPERTY AND ASSET** of husband/  
wife or wives of a leader in and out of Zanzibar. (Declaration date)

(a) Name of husband/wife or wives

(b) Occupation

.....

.....

.....

.....

.....

.....

.....

.....

2. Balance in bank account or any other financial institution in and out of Zanzibar

(a) Cash .....

(b) Balance in bank account or any other financial institution

(1) Name of the Bank/Finance Institution and Place	(2) Account Number	(3) Amount	(4) Source of finance	(5) Profit from the account	(6) Self expenditure/ business

NOTE: Attach Bank Statement of 3 months of mentioned Banks

**(c) Money on Bank account or Finance Institutions outside of Zanzibar;**

**(State countries which you have bank accounts).**

(1) Country	(2) Amount of share	(3) Name of the company which shares held	(4) Amount of dividend	(5) financial source	(6) Profit from the account	(7) Self expenditure/ business

NOTE: Attach Bank Statement of 3 months of mentioned Banks





**(h) Machine, Industries, mechanical in and out of Zanzibar.**

(1) Machine, industry, Mechanical	(2) Place where situated	(3) Amount	(4) Cost/ Value	(5) Source of finance purchased

**2. REAL PROPERTY OR ANY OTHER COMMERCIAL BENEFIT IN AND OUT OF ZANZIBAR**

.....

.....

.....

**3. LIABILITIES:**

(a) Debts in favour

.....

.....

.....

.....

(b) Debts which you owe

.....

.....

.....

.....

**SECTION THREE**

**1. REAL PROPERTY OF CHILDREN UNDER 18 YEARS WHO ARE NOT MARRIED**

**(This part should fill by a Public leader on behalf of child/children)**

**(a) Name and age of child/children**

Name	Gender	Age	Relationship

**(b) Finance**

**(i) Cash .....**

**(ii) Balance in bank account or any other financial institution in and out of Zanzibar**

(1) Name of child	(2) Name of the Bank	(3) Account	(4) Account Number	(5) Source of finance	(6) Profit from the account	(7) Self expenditure business

**NOTE: Attach Bank Statement of 3 months of mentioned Banks**









## SECTION FIVE

This part should fill by those leaders who have been already declared the real property and liabilities for the last year. This declaration form is used to disclose increased or decrease of asset and debts after last declaration.

### (a) Increasing of real property and Income

#### (i) Cash

Name of Bank	Account Number	Information of increasing amount/ value/income	Sources of asset

#### (ii) Buildings

Number of Plot or any other valid evidence	Type of building	Source of assets	Information of increasing amount/value/income

#### (iii) Farm and Land

Size of firm or land	Location	Source of assets	Information of increasing amount/ value/income

**(iv) Motor Vehicles**

Type of Motor Vehicles	Registration numbers	Number of chesse and machines	Sources of asset	Information of increasing amount/value/income

**(v) Firm and land which are not developed**

Size of firm or land	Location	Sources of asset	Information of increasing amount/value/income

**(vi) Shares****(vii) Other real property****(b) Lesser assets and debts****(i) Cash**

Name of Bank	Account number	Sources of asset	Information of increasing amount/value/income

**(ii) Building**

Number of Plot or any other valid document	Type of building	Source of assets	Information of increasing amount/value/income

**(iii) Firm and Land**

Size of firm or land	Location	Sources of asset	Information of increasing amount/value/income

**(iv) Motor vehicles**

Type of Motor Vehicles	Registration numbers	Number of chesses and machines	Sources of asset	Information of increasing amount/value/income

**(v) Firm and land which are not developed**

Size of firm or land	Location	Sources of asset	Information of increasing amount/value/income

**(vi) Share**

**(vii) Other real property**

**DECLARATION:**

This declaration made by .....

Signature of declarant .....

Date.....

**AFFIRMATION:**

Name of the Commission of oath .....

Signature.....

Date.....

Title.....

Address..... Stamp of the Commission of Oath

This declaration should be return before 31 December, for:-

**Chairman,**

**Public Leaders ethics Commission,**

**P.O. Box .....,**

**Zanzibar.**

**Telephone: .....**

**Fax: .....**

**Email .....**

**REVOLUTIONARY GOVERNMENT OF ZANZIBAR  
PUBLIC LEADERS CODE OF ETHICS ACT No. 4 OF 2015  
RECEIVING AND PROCESSING COMPLAINT OF  
PUBLIC LEADERS FORM  
(Under Section 23)**

No. of complaint .....

---

**A. DETAIL OF COMPLIANT**

---

1. Name (optional).....
  2. Sex.....
  3. Age.....
  4. Place of live.....
  5. Address .....
  6. Telephone No..... Email.....
  7. Fax .....
- 

**B. DESCRIPTION OF COMPLAINT**

1. Way used of to submit complain:

Phone.  Letter  Face to face  Electronics ways  Others

2. Person who submit the complain:

Complainant  Complainant relatives  Agent of complainant or  
Information Provider

3. Complain submitted to

The Chairman of the Commission  Other institution/s (list).....

4. If the copy of complain had been sent in another office ( list name of the office)

.....  
 .....

5. If this complain has been yet submitted before Yes  No

6. If Complain has ever dealt with other institutions list the name of the Institution

.....

7. Leader/institution complained .....

8. The post of leader .....

9. Details of complain.....

10. Type of complain: (put tick (?) in a right place ( )

(i) Corruption ( )

(ii) Embezzlement of public property ( )

(iii) Abuse of power ( )

(iv) Bias in employment ( )

(v) Conflict of interest ( )

(vi) Negligence ( )

(vii) Persecution ( )

(viii) Unfair firing / or promoted public servant influenced ( )

(ix) Providing professional information to unauthorized persons ( )

(x) Using government property for personal use ( )

- (xi) Claim, request or receive economic interests ( )
- (xii) Hinder of development activities ( )
- (xiii) Scandal and the use of abusive language ( )
- (xiv) Preference in tender delivery
- (xv) Accumulation of property
- (xvi) Using of abusive and aggressive language ( )
- (xvii) Sexual harassment ( )
- (xviii) Delaying in providing justice ( )
- (xix) Theft ( )
- (xx) Others (list).....

11. Signature of Complainer (optional).....

**FOR OFFICE USE ONLY:**

1. Details of breach of sections of this Act

.....  
.....  
.....

2. Opinion of officer who receives complain.....

.....  
.....

3. Name of officer who receive complain: ..... Signature.....

4. Date of received of complain .....

**COMPLAIN PROCEEDING /ACTIONS TAKEN/RESULTS**

1. Department which complain subjected:.....

2. First analysis was made for that complain Yes ( ) No ( )

3. A letter wrote to Complainant which need him  
to provide detail Yes ( ) No ( )

4. Complainant was submit details of his advocacy Yes ( ) No ( )

5. First investigation completed Yes ( ) No ( )

6. Investigation report submitted and opinions given Yes ( ) No ( )

7. Claims/complaints dissatisfied and file closed Yes ( ) No ( )

8. Complainer and Complainant informed Yes ( ) No ( )

9. Claims/complaints will be submitted to  
Secretariat for more investigation Yes ( ) No ( )

10. Investigation report of Secretariats submitted to  
special court Yes ( ) No ( )

11. Investigation report of Secretariats submitted to  
the commission or institution of complaint/claimed  
public leader Yes ( ) No ( )

12. Complaint/claim received in other institution  
(list) name of institution .....

13. Other details (if there).....  
.....  
.....

**THIRD SCHEDULE**  
**PUBLIC LEADERS' CODE OF ETHICS**  
**(Made under section 39)**

In recognition of the Values and Principles of our country, the following ethical obligations are to apply to all the people and should provide the basis for any specific Codes of Conduct.

1.-(1) The Code of Ethics for leaders shall seek as far as possible to institute and invoke the following principles in respect of the conduct of leaders, namely:

- (a) in relation to ethical standards, that leaders shall, while in office act with honesty, compassion, sobriety, continence, and temperance, and uphold the highest possible ethical standards so that public confidence and trust in the integrity, objectivity and impartiality of Government are conserved and enhanced;
- (b) in relation to public scrutiny, that leaders shall have an obligation:
  - (i) to perform their official duties and arrange their private affairs in a manner that would bear the closest public scrutiny, an obligation that is not fully discharged by simply acting lawfully;
  - (ii) in relation to all leaders whether in elective or appointive offices, there is to be established a procedure for declaration of all property or assets owned by, or liabilities owed to him, his spouse or minor children, without prejudice to the right of wives and husbands of leaders to own property independent of their spouses;
- (c) in relation to decision making, that leaders shall, in fulfilling their official duties and responsibilities make decisions in accordance with law, in the public interest and with regard to the merits of each case;

- (d) in relation to private interests, that leaders shall not have private interests, other than those permitted by the Code that would be affected particularly or significantly by government actions in which they participate;
- (e) in relation to public interest, that on appointment or election to office, and thereafter, leaders shall so arrange their affairs as will prevent real, potential or apparent conflicts of interest from arising, but if such a conflict does arise between the private interests of a leader and his official duties and responsibilities, the conflict shall be resolved in favour of the public interest;
- (f) in relation to gifts and benefits, that public leaders shall not solicit or accept transfers of economic benefit other than incidental gifts, customary hospitality or other benefits of nominal value, unless the transfer is pursuant to an enforceable contract or property right of the public leader;
- (g) in relation to preferential treatment, that public leaders shall not step out of their official roles to assist private entities or persons in their dealing with the government where this would result in preferential treatment to any person;
- (h) in relation to inside information, that public leaders shall not knowingly take advantage of, or benefit from, information which is obtained in the course of their official duties and responsibilities and that is not generally available to the public;
- (i) in relation to government property that public leader shall not directly or indirectly use, or allow the use of, government property of any kind, including property leased to the government, for purposes of according economic benefit to the leader;
- (j) in relation to post-employment, that public leaders shall not act, after they leave public office, in such a manner as to bring the service to ridicule or take improper advantage of their previous office, so that possibilities may be minimised of:-

- (i) allowing prospects of outside employment to create a real, potential or apparent conflict of interest for public leaders while in public office;
- (ii) obtaining preferential treatment or privileged access to government after leaving public office;
- (iii) taking personal advantage of information obtained in the course of official duties and responsibilities until it becomes generally available to the public; and
- (iv) using public office to unfair advantage in obtaining opportunities for outside employment.

### **National Unity, Rule of law and Respect for Diversity**

2. Democratic processes and institutions reflect national and local circumstances and must be upheld.

3. Such process and institutions include: -

- (a) that power must be transferred peacefully, through free, fair and open elections;
- (b) the Rule of Law and human rights;
- (c) the independence of the judiciary;
- (d) just and honest Government;
- (e) national unity; and
- (f) individual rights, cultural values, traditions and customs.

4. This means in particular that:-

- (a) a constitutional protections and institutions that safeguard human and individual rights and interests should be respected and interpreted purposively rather than narrowly.
- (b) however, such protections, institutions, rights and interests do not override other elements of the law and system of Government, except where the Constitution provides otherwise.

5. A Public leader therefore:-

- (a) must uphold the laws of the country;
- (b) must respect, support and enforce the decisions of courts and other tribunals including the Special Tribunal;
- (c) must respect and carry out lawful instructions and lawfully established policies;
- (d) must observe and comply with both the letter and the spirit of the laws, by interpreting every law on the presumption that it was made for the public benefit, and by not taking advantage of mere formalities or technicalities to nullify the obvious intention for which a law was made;
- (e) must disclose any fraud, corruption and maladministration of which the official becomes aware.
- (f) must not influence, exert pressure on, threaten or abuse persons carrying out their lawful duties.
- (g) must not misuse any legal immunity or privilege as cloak or shield for behavior of a lower ethical standard than that which that Leader or the public would expect of the average citizen.

6. This code does not detract from a Leader's duty to act independently of Government if the official's independence is required by legislation or Government policy, or is a customary feature of the official's work.

7. The Government have an ethical responsibility to respect and implement resolutions of legislature/House of Representatives.

Respect for the People on whose behalf Public Leaders exercise power

8. Public power belongs to the people and is entrusted to Public leaders to exercise it on their behalf and for their benefit.

(a) Leaders who exercise power primarily for their own benefit, or to the detriment of the public benefit, betray the people's trust and take from the people what is rightfully theirs.

(b) All Leaders must acknowledge and accept that authority comes from the people, in accordance with the Constitution and through specific democratic electoral procedures.

9. Accordingly, the only criterion for the exercise of power is the public benefit: -

(a) Political Leaders have an ethical responsibility: -

(i) to formulate responsible and workable policies for exercising the people's power on their behalf;

(ii) not to dishonestly campaign for election into public offices;

(iii) to seek electoral support from society and never to appeal (whether explicitly or by implication) to regional, racial, or religious hatreds in order to win political support; and

(iv) to accept, abide by, and not seek to bypass or protect themselves against, the lawful decision of the people.

- (b) all Public leaders have an ethical responsibility to ensure that political leaders abide by the above ethical responsibilities;
- (c) every exercise of public power must be publicly justified on the basis that it protects or promotes the public benefit;
- (d) appointed officials have an ethical responsibility to respect and implement:-
  - (i) the laws enacted by the legislatures; and
  - (ii) the policies laid down by Cabinet.
- (e) administrative officials are delegated power through legislation to carry out Government policy under the law;
- (f) administrative officials must never accept any direction from Political leaders except where specified by law;
- (g) judges and other judicial officers are entrusted with judicial power, and independent tenure, so that they will impartially interpret and apply the laws of the country;
- (h) judges should be selected solely for their legal knowledge, their practical wisdom and their independence and impartiality;
- (i) judges should decide every case before them with complete neutrality among the disputants and indifference to their identity, power, or status;
- (j) judges should not be appointed, or subjected to any pressure, with the motivation that they will act contrary to these duties.
- (k) leaders are provided with facilities at public expense in order that public business may be conducted effectively. They must use these facilities in accordance with this purpose;

**10. In particular, a Public Leader:-**

- (a) must be honest in his or her public dealings and should not intentionally mislead the Legislature or the public. Any misconception caused inadvertently must be corrected at the earliest practical opportunity.
- (b) must never use control of public information to prevent the public knowing of the legal wrongdoing or ethical lapses of Leaders or that they have made false or misleading statements.
- (c) must always give priority to his or her official duties over his or her private business interests;
- (d) must perform his or her public duties uninfluenced by any fear that he or she will suffer, or any hope that he or she will benefit, as a result;
- (e) must conduct himself or herself, in both public and private life, in a way that does not place himself or herself in a position where that Leader faces, or could face, a conflict of interest, or in which the fair and impartial exercise of his or her official duties might be compromised;
- (f) shall ensure that public facilities are used only for public purposes unless another use is specifically authorised in legislation, a public decision of the Cabinet or by a superior taking into account this Code and seeking advice in the case of doubt.

**11. Having regard to the obligations mentioned in the preceding subsection, a Leader:**

- (a) should not improperly use his or her official powers or position, or allow them to be improperly used; and

- (b) should ensure that any conflict that may arise between the official's personal interests and official duties is resolved in favour of the public interest;
- (c) shall not use that Leader's power, position, influence or contacts primarily for his or her own personal enrichment or gratification; and
- (d) should perform his or her public duties not influenced by fear or favour - that is, by any expectation or fear that he or she may benefit or suffer as a consequence.

### **Respect for individuals**

**12.** Leaders should recognize the following principles and act in conformity with them:

- (a) all individuals are entitled to liberty under the law;
- (b) all individuals are entitled to equal rights regardless of gender, race, colour, creed or political and religious belief;
- (c) individuals have an inalienable right to participate by means of free and democratic political process in framing the society in which he or she lives;
- (d) equitable economic, social and cultural development is important and urgently needed to satisfy the basic needs and aspirations of individuals; and
- (e) in particular, a Public Leader shall treat members of the public and other Leaders honestly and fairly and with proper regard for their rights and obligations.

**13.** A Leader shall act responsively in performing official duties.

### **Economy and efficiency**

**14.** Public leaders should recognise the following principles and act in conformity with them:

- (a) resources are often limited; important and urgently needed economic, social and cultural development takes priority in the allocation of resources; and
- (b) public resources belong to the people; officials elected or appointed to manage such resources do so only as trustees for the benefit of the public.

**15.** A Public Leader should, when performing his or her official duties, ensure that public resources are not wasted, abused, or used improperly or extravagantly.

### **Diligence**

**16.** A Leader shall, when performing his or her official duties:-

- (a) exercise proper diligence, care and attention; and
- (b) seek to achieve high standards of public administration.

**17.** A Public leader shall:-

- (a) never give, or obey, an illegal order to use force against another citizen; and
- (b) never seek to substitute his or her own judgment for that of the people expressed in constitutional elections.

### **Respect for the Office each leader holds:**

**18.** Leaders holding public office must commit themselves to good governance, that is, exercising their authority (Leadership) and interacting in ways that are open, transparent, accountable, participatory, consultative, decisive, fair and equitable.

- (a) Public offices are created for the benefit of the people their holders are intended to serve;
- (b) The integrity of those who hold public office strengthens those offices and increases their potential effectiveness;
- (c) Any abuse of public office damages the office and the capacity of the offender's successors to serve the people.

**19. In particular, a Public Leader:-**

- (a) must not bring the Government, or his or her own office or position, into public disrepute;
- (b) should not yield to the temptation to damage the office he or she holds in order to retain it; and, accordingly,
- (c) must remember that other people will hold the office in future, and therefore seek to leave the office stronger and more respected than when he or she entered it;
- (d) must not engage in conduct that undermines public confidence in him or her or in the Government generally;
- (e) must avoid giving any appearance of using public office for private purposes;
- (f) should ensure that his or her conduct is in accordance with the Leadership Code, and should consult the Commission if he or she has, or if an independent and fair-minded person might have, any reasonable doubts about the propriety of the course of action.

**Respect for custom and tradition**

**20.** A Leader must recognise that the stability of Zanzibar society and the happiness and welfare of the people of Zanzibar, both present and future, depend very largely on the maintenance of Zanzibari values, custom and tradition. The values and customs include:

- (a) the attitudes of cooperation, self-help and unity within the community; and
- (b) the strength and support of the family and family discipline.

**21.** A Leader must therefore ensure that the exercise of his or her authority and his or her conduct must:

- (a) always seek with courtesy agreement and or search for consensus in accordance with traditional values;
- (b) enhance mutual respect and cooperation between different kinds of authorities concerned, including the central Government, local governments and religious authorities;

### **Appointments on merit**

**22.** A Leader must:-

- (a) act fairly in appointing or recommending people to offices and positions for which he or she has responsibility, so that people are appointed impartially and on merit; and
- (b) do his or her best to encourage participation in Government by all men and women
- (c) not use his or her political influence to bring about the appointment or promotion, or to obstruct the suspension or dismissal, of an associate of that Leader; and
- (d) not use his or her political influence to interfere with appointments, dismissals, suspensions or promotions of public servants.

### **Gifts in accordance with the laws**

**23.** A Leader does not breach this Code by giving or accepting of a gift if he or she does so in accordance with the laws.

**24.** These ethics shall be interpreted with values which are provided in constitutions and laws applicable in Zanzibar.

**PASSED** by the House of Representatives on 30<sup>th</sup> day of January, 2015.

**YAHYA KHAMIS HAMAD**  
*Clerk House of Representatives*  
*Zanzibar*

