



THE ZANZIBAR SPORTS COUNCIL ACT OF 2010

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ACT NO. 5 OF 2010

I ASSENT


{ AMANI ABEID KARUME }
PRESIDENT OF ZANZIBAR
AND

CHAIRMAN OF THE REVOLUTIONARY COUNCIL

26th July, 2010

AN ACT TO REPEAL AND REPLACE THE ZANZIBAR NATIONAL
SPORTS COUNCIL ACT NO. 8 OF 1983 AND TO PROVIDE
FOR MATTERS RELATED AND INCIDENTAL THERETO

ENACTED by the House of Representatives of Zanzibar.

PART I
PRELIMINARY PROVISIONS

- Short title and commencement. 1. This Act may be cited as the Zanzibar Sports Council Act, 2010 and shall come into operation upon being assented to by the President.
- Interpretation. 2. In this Act, unless the context otherwise requires.
- “Council” means the Zanzibar National Sports Council established under section 3 of this Act;
- “National Sports Association” means an association constituted on national basis for promoting and controlling sports and recognized as such by the Council;
- “Registers” means a document required to be kept under section 18 (2) of this Act;
- “Secretary General” means a Secretary General of the Council appointed under section 16 of this Act;
- “Chairperson” means the chairperson of the Council appointed under section 7 (1) of this Act;



“Director” means the Director responsible for sports;

“Stakeholders meeting” means a meeting with Stakeholders of sports activities;

“Registrar” means a person appointed under section 18(1) to be Registrar of the National Sports Associations, District Sports Associations and Sports Clubs;

“Sports” means games for recreation and competition involving bodily and mental exercise and including such other games as the Government may, by notice in the Gazette declare to be Sports for the purposes of this Act;

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

“Government” means the Revolutionary Government of Zanzibar;

“Secretariat” means the Secretariat of the Council;

“Minister” means the Minister for the time being responsible for Sports;

PART II ESTABLISHMENT OF THE COUNCIL

Establishment of the Council. 3. There is hereby established a Council to be known as Zanzibar National Sports Council which shall:-

- (a) be a body corporate with a perpetual succession and a common seal;
- (b) in its corporate name be capable of suing and being sued;
- (c) be capable of holding, disposing or purchasing or otherwise acquiring any property, movable or immovable for the purpose of carrying out of its functions.

Members of the Council. 4. The Council shall consist of the following members:-

- (a) Chairperson;
- (b) Director of sports;
- (c) Executive Secretary of the Council;
- (d) Registrar of the Sports Associations;
- (e) a member who shall be appointed by the Minister;



- (f) a representative from the Ministry of Education who shall be appointed by the Minister responsible for Sports after consultation with the Minister responsible for Education;
- (g) a representative from the Sports Association of the persons with disabilities;
- (h) four members from the National Sports Association who shall be nominated by a stakeholders meeting and at least two of the nominated members shall be women.

Functions
of the
Council.

5. The Council shall have the following functions:-

- (a) to stimulate the implementation of sporting policies in Zanzibar;
- (b) to ensure that all types of sporting clubs and groups follow the laid down policies, constitutions, rules, laws, regulations and procedures on each game and other sporting activities;
- (c) to arrange and promote sports at national and district levels and to encourage and facilitate the sporting activities;
- (d) to cooperate with other appropriate authority in administering registration of playing grounds in order to prevent trace-passing of those grounds;
- (e) to develop and maintain in accordance with the registration of Sports Regulations and any direction as may be deemed fit;
- (f) take disciplinary measures against any person or group of persons who or to clubs or other sporting groups which have acted contrary to laid down rules or procedures;
- (g) to ensure that all Sports Associations shall establish and formulate the reconciliatory and appellate committee in their Sports Associations at all level;
- (h) the Council shall appoint a member from the different Sports Associations who shall guide the tours from the outside of Zanzibar;
- (i) to participate in all meetings concerning with Sports Association at local and international level.



Powers and
Duties of the
Council.

6. The Council shall exercise the following powers and duties:-

- (a) arrange and promote Districts Sports Councils by encouraging them to facilitate the sporting activities in the Districts;
- (b) endeavor and facilitate high level of sportsmanship and discipline in all sports activities, fair play and discipline to all athletes, sports leaders and officials;
- (c) award in consultation with the National Associations medals, diplomas, certificates, trophies and other incentives for the purpose of encouraging and promoting sports activities;
- (d) take disciplinary measures against any person or group of persons, clubs or other supporting groups which have acted contrary to laid down rules or procedures;
- (e) generally do all acts and things whether alone or in cooperation with any other association, institution, or person as may be thought fit in the interest of the council or of any affiliated body which are considered to be benefit to sports or physical recreation in Zanzibar.

Chairperson
and Vice
Chairperson.

7.(1) There shall be a Chairperson of the Council who shall be appointed by the President.

(2) There shall be a Vice Chairperson who shall be appointed amongst the members of the council.

(3) The Chairperson or in his absence, the Vice Chairperson shall preside over the meetings of the Council and the Executive Committee and in the absence of both of them, the members of the Council present shall appoint a Chairperson from amongst them solves to preside over that meeting.

Meeting of the
Council.

8. The Council shall ordinarily meet at least once every three months for the transaction of its business at the time and the place determined by it.

Quorum

9. More than half of the total number of members of the Council shall constitute a quorum.



- Decision of the Council. **10.** A decision at a meeting of the Council shall be taken as a majority of votes of the members present at voting, but in the event of an equality of votes the Chairperson of the meeting shall have a casting vote in addition to his deliberative vote.
- Proceedings not to be invalidated by irregularity. **11.** No act proceeding, or decision of the Council shall be invalid by reason of the existence of any vacancy or defect in the constitution of the Council.
- Minutes of the Council. **12.** Minutes of the Council shall be kept in a proper form by the Secretary General and shall be confirmed in the next meeting and signed by the Chairperson and the Secretary General.
- Allowance. **13.** Members of the Council shall be paid allowances and benefits as shall be determined and approved by the Minister.
- Cease to be a member of the Council. **14.** A member of the Council shall cease to be a member upon the occurrence of any the following:-
(a) if he dies;
(b) if he missed to attend three consecutive meetings without permission;
(c) if he is convicted of any criminal offence;
(d) if he resigns by writing under his hand addressed to his appointing authority.
- Tenure of the Office. **15.** A member of the Council other than ex-officio members, shall hold the office for a period of three years and shall be eligible for re-appointment for another term.
- Appointment of the Secretary General. **16.**(1) There shall be a Secretary General of the Council who shall be appointed by the President.
(2) A person shall not be appointed as a Secretary General unless:-
(a) he holds a diploma from a recognized institution;
(b) he combines experience on sports activities for not less than five years;
(c) he is capable of regulating sports activities.



Responsibility
of the
Secretary
General.

17.(1) The Secretary General shall be the Principal Executive officer of the Council who shall coordinate and supervise all activities in the name of the Council.

(2) Together with such powers the Secretary General shall:-

- (i) be the Head of the Secretariat;
- (ii) issue notice of the General Assembly and Executive Committee in consultation with the Chairperson;
- (iii) authorized payment as per Government financial regulations;
- (iv) maintain records of members of the Council;
- (v) he is responsible for the Standing Committees;
- (vi) be the spokesman of Council on deliberation of meetings and shall represent the Council at local and international forum;
- (vi) take and keep true records of minutes of all meetings of the Council.

Registrar of
Sports
Associations.

18.(1) The Minister, shall by notice in the Gazette, appoint a Registrar of National Sports Associations, District Sports Associations and clubs to perform the duties and exercise the power to be imposed and conferred upon the Registrar by this Act and any rules made there under, and may appoint a Deputy Registrar who shall be subject to the directions of Registrar.

(2) The Registrar shall keep separate registers in the prescribed forms in which he shall register the list of National Sports Associations, District Sports Associations and Sports Clubs.

Powers and
duties of the
Registrar.

19. The Registrar shall exercise the following powers and duties:-

- (a) to receive application form for registration of all Sports Associations.
- (b) to ensure that, provisions of the Constitution and Regulation of any Sports Associations shall be subjected to follow the rules and law made under this Act and any other laws of Zanzibar;
- (c) to ensure that all Registered Associations shall have their Constitutions;



(d) to cancel to any of the Sports Association or Club upon the occurrence of any of the following:-

- (i) if any of the Sports Association or Club deliberately violate their Constitution and Regulation;
- (ii) to ensure that all Sports Associations and Clubs follow the laid down policies on sporting activities;
- (iii) if it involves in a political activities;
- (iv) if it declines;
- (v) if its establishment and leadership are against with their Constitution and Regulations.

Staff of the Council.

20. Subject to the provisions of this Act, the Council may from time to time and subject to such directions as may be given by the Minister, appoint on such terms and conditions as it may deemed fit such number of officers and employees as may be necessary for the carrying out of its functions under this Act.

Secretariat of the Council.

21.(1) There shall be the Secretariat of the Council headed by the Secretary General of the Council.

(2) The Secretariat shall consists of the following members:-

- (a) Secretary General;
- (b) Accountant;
- (c) Legal advisor;
- (d) Any other officers as required by the Council.

Functions and duties of the Secretariat.

22. The Secretariat shall have following responsibilities:-

- (a) to prepare, arrange and co-ordinate the day to day functions of the Council;
- (b) to do any other function as determined by the Council.



Standing Committees.

23. The Council shall establish Tending Committee in order to implement and facilitate the function as may be deemed fit.

Districts Councils.

24. There shall be a Council in each District which shall consist of the following member:-

- (a) a Chairperson who shall be nominated by the District Commissioner of that district;
- (b) a Deputy Chairperson who shall be nominated amongst the members;
- (c) a Secretary General who shall be an ex-officio;
- (d) a member from each registered District Sports Council;
- (e) a District Educational Officer who shall be an ex-officio;
- (f) three members who shall be appointed by the Districts Commissioner among them should be a woman and one from Sports Associations of person with disabilities.

Functions of the Districts Councils.

25. The functions of the Districts Sports Council shall be:-

- (a) to develop, promote, control and regulate all activities of the National Sports Council as it is made under section 5 (a-g) of this Act.
- (b) on the performance of its day to day activities the Districts Sports Council shall be under the supervision, direction and regulation of the National Sports Council.

PART THREE THE STAKEHOLDERS MEETING

Stakeholders meeting.

26.(1) There shall be a stakeholders meeting which shall consists of the following members:-

- (a) Chairperson of the Council;
- (b) Vice Chairperson of the council;
- (c) Director of Sports;



- (d) Secretary General who shall be the Secretary of the stakeholders meeting;
- (e) Registrar of the Sports Associations;
- (f) representative from the Ministry responsible for Education;
- (g) member of the Executive Committee who shall be appointed by the Minister responsible for Sports;
- (h) representative from the Sports Association from the people with disabilities who shall appointed by the Minister;
- (i) four representatives from the National Sports Associations who shall be appointed by the stakeholder meeting, two of them should be women;
- (j) representative from each of the Registered National Associations to be elected by representative of National Sports Associations;
- (k) representative from each District Sports Council to be elected by a representative District Sports Council.

(2) Secretary General in consultation with the chairperson may invite any person to participate in the stakeholders meeting.

Duties and Responsibilities of the Stakeholder meeting.

27. The General Assembly shall:-

- (a) to receive, examine and approve reports of every year on the sports activities which will be submitted by the Secretary General;
- (b) to advice and suggest the better implementations of sporting activities according to the policies laid down by the government of Zanzibar;
- (c) to examine and discuss implementation reports of the District Sports Associations;
- (d) to elect four representatives from the National Associations who shall be members the Council.



Holding of Stakeholders meeting.

28.(1) The stakeholders meeting shall be held ordinarily once a year.

(2) The extra ordinary stakeholders meeting shall be held at the request of at least two third of its members or at the decision of the Council.

Quorum

29.(1) Half of the total members shall constitute a quorum.

(2) A decision at a stakeholders meeting shall be taken by majority of votes of the members present and voting, but in the event of an equality of votes the Chairperson of the meeting shall have a casting vote in addition to his deliberate vote.

Minutes of the Stakeholders meeting.

30. Minutes of the stakeholders meeting shall be kept in a proper form signed by the Secretary General and shall be confirmed at the next meeting and signed by the Chairperson.

PART IV FINANCIAL PROVISION

Funds of the Council.

31. The funds and resources of the Council shall consist of:-

- (a) such sums as may be provided by the House of Representatives for that purpose;
- (b) any sums or property which may be donated to and approved by the Council;
- (c) monies paid to the Council by way of donations, contributions, fees, subscriptions, rents and interest;
- (d) any loans given to the Council either by the Government or any other body or person provided that in the case of other bodies or persons such loans shall first be approved by the Minister;
- (e) any sums or property which may in any manner become payable to or vested in the Council in respect of any matter incidental to the carrying out of its functions.

Accounts and Audit.

32. The Council shall open and maintain such accounts with a bank as it considers necessary in accordance with Government financial regulations.



Appropriation of the fund of Council. **33.(1)** The monies and property of the council shall be applied solely for the purpose of making payments in or in connection with the performance of its functions, powers and duties under this Act.

(2) The Council may invest such part of its funds as are not for the time being required for the purpose to its business.

(3) Where the Council intends to invest such funds as provided under this section, it shall first seek the approval of the Minister.

Reports of the Council. **34.** The Council shall within three months after the end of each financial year, prepare a report on the conduct of its business during that year and submit it to the Minister.

Accounts and Audit. **35.** The council shall keep proper records of accounts and other financial statements and other records in relation thereto and in accordance with accounting standard and good practice approved by the Minister.

(2) The accounts of the Council shall be audited annually by the Auditor General.

(3) The report of the Auditor General shall be sent to the Minister who shall together with the report of the Council cause it to be laid before the House of Representatives.

Execution of Documents. **36.** All deeds, instruments, contracts and other documents shall be deemed to be duly executed by or on behalf of the Council:-

(a) if sealed with the common seal of the council and signed by the Chairperson and the Secretary General;

(b) if executed in that behalf by one member and the Secretary General or the accountant of the council.

PART V MISCELLANEOUS PROVISIONS.

Vesting of Assets. **37.(1)** Upon the commencement of this Act, all movable and immovable property vested in the Zanzibar Sports Council shall be vested in the Council without conveyance, transfer or assignment.



(2) All rights , privileges , obligations and liabilities which immediately before the commencement of this Act were hold, enjoyed or incurred by the Zanzibar Sports Council shall be deemed to be the rights, privileges, obligation and liability of the Council.

(3) Where anything has been commenced by the Zanzibar Sports council prior to the commencement of this Act such thing may be carried on and completed by the Council.

Powers to make Regulations.

38. The minister may generally make regulations for the better carrying out of this Act.

Repealing and Saving.

39.(1) The Zanzibar Sports Council Act No. 8 of 198 is hereby repealed.

(2) All regulations made under the said Act shall be deemed to be regulations made under this Act and shall continue to be of full force and effect with the area to which they apply until revoked by the rules and regulations made under this Act.

PASSED in the House of Representatives of Zanzibar on 26th day of March, 2010.

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