

THE PLANNING COMMISSION ACT, 1989.

ARRANGEMENT OF SECTIONS

SECTION

TITLE

PART I

PRELIMINARY

1. Short title and Commencement.
2. Interpretation.

PART II

THE PLANNING COMMISSION

3. Establishment of Commission.
4. Composition of Commission.
5. Oath of Allegiance.
6. Functions of the Commission.
7. Powers of the Commission.
8. Commission to maintain collaboration and consultations.

PART III

ADMINISTRATION IN GENERAL

9. Appointment of Secretary.
10. Appointment of employee.
11. Establishment of Planning Committee.
12. Power to call for information.
13. Meeting procedure.

SCHEDULE

OATH TO BE MADE BY MEMBERS OF THE
COMMISSION

ACT NO. 5 OF 1989

I ASSENT

Idris Abdul Wakil

IDRIS ABDUL WAKIL
PRESIDENT OF ZANZIBAR
AND
CHAIRMAN OF THE REVOLUTIONARY
COUNCIL.

31st July, 1989.

AN ACT TO ESTABLISH A PLANNING COMMISSION,
TO PROVIDE FOR ITS COMPOSITION AND TO
SPECIFY ITS FUNCTIONS AND TO PROVIDE FOR
MATTERS CONNECTED THEREWITH AND INCIDENTAL
THERE TO.

ENACTED BY THE HOUSE OF REPRESENTATIVES OF
ZANZIBAR.

PART I
PRELIMINARY

Short title and commencement. 1. This Act may be cited as the Planning Commission Act, 1989 and shall be deemed to have come into operation immediately upon being assented by the President.

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

"authorised person" means a person allowed or related to the exercise of the functions of the Commission;

2/....

- "oath of allegiance" means oath made by any person so appointed to hold office of the Commission as prescribed under section 5 of this Act;
- "Commission" means the planning commission established under section 3 of this Act;
- "Chairman" means the Chairman of the Commission;
- "Government" means the Revolutionary Government of Zanzibar;
- "Minister" means the Minister for the time being responsible for planning;
- "Member" means member of the Commission;
- "President" means the President of Zanzibar and Chairman of the Revolutionary Council;
- "Revolutionary Council" means the Revolutionary Council of Zanzibar;
- "Secretary" means the Secretary of the Commission appointed under section 8 of this Act.

PART II

THE PLANNING COMMISSION

- Establishment of Commission. 3.(1) There is hereby established a commission to be known as the Planning Commission.
- (2) The Commission shall be an independent department of Government under the office of the President.
- Composition of Commission. 4.(1) The Commission shall consist of members whose number including the Chairman shall not exceed seven.
- (2) The Chairman of the Commission shall be the President.

- (3) The members of the Commission shall be -
- (a) the Vice-Chairman who shall be appointed by the President amongst the members of the Revolutionary Council and who shall also be a permanent member of the commission; and
 - (b) five other members to be known as commissioners who shall be appointed by the President and two of whom shall be permanent members of the Commission.

(4) In appointing members of the Commission, regard shall be had of appointing persons with sound professional background in economic and planning affairs, and who have adequate experience in the management of Government or Public affairs as well as who have demonstrated an ability in dealing with national and international affairs.

(5) The Vice-Chairman shall be responsible for the supervision of the day to day work of the Commission.

Oath of
Allegiance.

5.(1) Every member of the Commission shall not enter upon the duties of his office unless he has taken the oath of allegiance for the due execution of his office as prescribed in the Schedule to this Act.

(2) The President shall administer all oaths made under this section.

Functions
of the
Commission.

6.(1) The functions of the Commission shall generally be, to be responsible for the management of the economy and for directing the planning process and supervising the implementation of economic and social plan, as approved.

(2) Without prejudice to the generality of the provisions of subsection (1), the functions of the Commission shall be -

- (a) to assess the state of the national investment resources and advise the Government of the efficient utilization of those resources;
- (b) to analyse trends in key economic variables including balance of payments, money supply and prices and advise the Government accordingly;
- (c) to analyse the various existing policies with a view to strengthening their implementation and to propose new policies where it is deemed necessary in the national interest;
- (d) to monitor the day-to-day performance of the various sectors of the economy and ensure that appropriate measures are taken to solve any operational problems as may be detected in those sectors;
- (e) to issue guidelines on economic relations with other countries and international organizations;
- (f) to be responsible for the formulation and implementation of plans for the most effective and balanced utilization of the country's resources;
- (g) to issue guidelines for the formulation of National Plan to monitor the preparation process of long-term, medium term and annual plans;
- (h) to monitor the implementation of plans and take such measures as are necessary for ensuring successful implementation of those plans;

- (i) to advise the Government on any change in the approved plan;
- (j) to monitor the implementation of Government decisions on matters of planning and the management of the economy;
- (k) to devise strategies for the development of science and technology in the country;
- (l) to analyse any social and economic issues and recommend to the Government appropriate policies and measures to protect the national interest;
- (m) to do such acts and things in relation to development planning as the President may direct.

Powers of the Commission.

7. The Commission shall be the highest advisory body, responsible to Revolutionary Council, in all matters related to planning and for that purpose it shall have power:-

- (a) to give to regions and ministries any directives relating to matters of planning;
- (b) to direct, in accordance with Government decision, areas in which investments can be made;
- (c) to approve any change in the implementation of plans;
- (d) to call for, from any institution, any information or statistics relating to matters of planning and economic planning.

Commission to maintain collaboration and consultations.

8. For the purpose of better performance of its functions the Commission may maintain a system of collaboration, consultation and co-operation with economic research institution and other planning commission having the same objectives and as one likely to assist in exercising its functions.

PART III

ADMINISTRATION IN GENERAL.

Appointment
of
Secretary.

9.(1) There shall be a Secretary who shall be appointed by the President.

(2) In appointing the Secretary regard shall be had to appointing a person who is an expert in economic, planning and financial affairs and who has adequate experience in Government or public institution as well as who has demonstrated ability in top leadership positions.

(3) The Secretary shall be the Chief Executive Officer of the Commission and shall be responsible for its day to day activities and for co-ordinating its functions.

(4) The Secretary shall be the Secretary to the Commission and shall attend and act in that capacity at all the meetings of the Commission.

Appointment
of
employee.

10.(1) There shall be appointed to such offices of the Commission such number of public officers as it is necessary for carrying out the functions of the Commission.

(2) The offices of the Commission other than of the Members shall be civil service offices and the holders of such offices shall be civil servants.

Establishment
of
planning
committee.

11.(1) There is hereby established in each Ministry and each Region a Planning Committee to be known as Ministerial Planning Committee and Regional Planning Committee respectively.

(2) For the purpose of this Act, Management Council established in each Ministry under the Management Council Act of 1986 and Regional Development Committees established in each region under the Local Government (District and Urban Authorities) Act, 1986 shall be deemed to have been established under subsection (1) of this section.

7/....

(3) The Commission may establish committees or departments for the discharge of its functions and it may specify functions and duties for the established committees or departments and it may delegate to any committee or department so established any of its functions.

Power to call
for
information.

12.(1) The Commission may call for, in writing any person or body of persons in whose custody has any information which may be relevant to its work.

(2) Every person who, or body of persons which is required to furnish information under subsection (1) shall comply with the requirement and any person who, or body of persons which fails or refuses to comply with that requirement shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Meeting
procedure.

13.(1) At any meeting of the Commission, not less than one half of the number of members for the time being in office shall constitute a quorum.

(2) There shall preside at any meeting of the Commission the Chairman or in the absence of the Chairman, the Vice-Chairman.

(3) Subject to the provisions of subsections (1) and (2) and of such Rules as the Chairman may make in that behalf, the Commission shall have power to regulate its own procedure.

SCHEDULE

OATH TO BE MADE BY MEMBERS
OF THE COMMISSION

(1) OATH OF ALLEGIANCE

I,
swear by Almighty God that I will be faithful to
Zanzibar and its people which are part of the United
Republic of Tanzania and that I will serve them
wholeheartedly and that I will defend and protect the
interest and economy of Zanzibar in accordance with the
established laws.

So help me God.

(2) OATH OF EXECUTION OF OFFICE

I,
swear by Almighty God that I shall deligently and truly
serve Zanzibar and its people in the execution of my
duties as member to the Commission and shall at all times
advise the Chairman in good faith and will not directly
or indirectly disclose, or reveal the nature or content
of any documents of the Commission to any person other than
authorised person.

So help me God.

I hereby confirm that I have taken these oaths
at Zanzibar, today the day of19...

.....
Signature

.....
President.

Passed in the House of Representatives
on the 15th day of June, 1989.

Khamis Juma Chande

KHAMIS JUMA CHANDE
CLERK TO THE HOUSE OF REPRESENTATIVES
OF ZANZIBAR.