

**AN ACT TO AMEND THE WEIGHTS AND MEASURES
(AMENDMENT) ACT NO.1 OF 2004**

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A CT NO.1 OF 2004

I ASSENT

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

18th FEBRUARY , 2004

**AN ACT TO AMEND WEIGHTS AND MEASURES
ACT NO. 4 OF 1983**

ENACTED by the House of Representatives of Zanzibar.

Short title and Commencement. 1.(1) This Act may be cited as the Weights and Measures (Amendment) Act, 2004 and shall come into operation immediately after being assented to by the President.

(2) This Act shall be read as one with the Weights and Measures Act, 1983 in this Act, referred to as the "Principal Act".

Repeal and replacement of section 14. 2. Section 14 of the principal Act is hereby repealed and replaced by the following:

"Establishment of the weights and measures Council. 14.(1) There is hereby established a Council for weights and measures which shall consist of not less than seven and not more than nine members as follows:

(a) a Chairman who shall be appointed by the President;

- (b) One member from each of the following institutions who shall be appointed by the Minister;
 - (i) Ministry of Communication and Transport;
 - (ii) Ministry of Trade, Industry, Marketing and Tourism;
 - (iii) Police Force;
 - (iv) Attorney General's Office;
 - (v) Zanzibar Chamber of Commerce;
 - (vi) Department of Metrology;
 - (vii) Two other members appointed by the Minister.

(2) The members of the Council shall elect one of their members to be vice chairman and in any meeting if the chairman and vice-chairman are absent, the members present shall elect a temporary chairman for that meeting.

(3) In appointing members referred in subsection (1) paragraph (vii) regards shall be made to appointing persons from amongst economist and a person with adequate knowledge and experience in business affairs.

(4) The members shall hold office for a period of three years and may be eligible for re-appointment.

(5) The Council shall convene its regular meetings once after every three months but the chairman may at any time if need arises, call and convene a special meeting.

3. Section 16 of the principal Act is hereby repealed.

4. Section 19 of the principal Act is hereby amended by renumbering section 19 as 19(1) and adding subsection (2) as follows:

Repeal of
Section 16.

Amendment
of section 19.

“(2) Where any dormant equipment which is required to be stamped only after it has been installed at the place where it is to be used for trade, if, after the equipment has been so stamped, is in any way removed or dismantled and re-installed whether in the same or some other place it shall not be used for trade after being so re-installed until it has been re-tested and re-stamped by an assizer.”

5. Section 21 of the principal Act is hereby amended by deleting paragraph (c) and substituting for the following:

Amendment
of section 21.

“(c) issue to the person in charge of such instrument a rejection note within the prescribed form to the effect that it has been rejected.”

6. Section 33 of the principal Act is hereby amended by adding the words “if so requested by the assizer” after the words “he shall”

Amendment
of section 33.

7. Section 35 of the principal Act is hereby amended by deleting subsection (2) thereof and substituting for the following:

Amendment
of section 35.

“(2) Any person who contravenes or fails to comply with the provisions of this section shall be guilty of an offence and shall be liable on conviction to a fine not less than twenty thousand shillings or imprisonment for a term of one month or both such fine and imprisonment.”

8. Section 37 of the principal Act is hereby amended in subsection (1) paragraph (c) by deleting the words “ten shillings” and substituting for the words “one hundred shillings”.

Amendment
of section 37.

9. Section 43 of the principal Act is hereby amended by deleting the word “uses” appeared in the first line and substituting for the word “sells”.

Amendment
of section 43.

10. Section 45 of the principal Act is hereby amended in the marginal note by adding the words “measures and gauges” after the word “weights”.

Amendment
of section 45.

11. Section 53 of the principal Act is hereby amended by deleting subsection (1) thereof and substituting for the following:

Amendment
of section 53.

“(1) Any person who contravenes the provisions of this Act or regulations made under this Act shall be guilty of an offence and shall be liable on conviction in the case of a first offence to a fine not less than one hundred thousand shillings or imprisonment for a term not exceeding four years or both such fine and imprisonment, and in the case of a second or subsequent offence to a fine not less than two hundred thousand shillings or imprisonment for a term not exceeding five years or both such fine and imprisonment.”

12. Section 57 of the principal Act is hereby amended in subsection (2) by deleting the words “one thousand shillings” and substituting for the words fifty thousand shillings.

Amendment
of section 57.

PASSED in the House of Representatives on 14th day of January, 2004.

(KHAMIS JUMA CHANDE)
CLERK OF THE HOUSE OF REPRESENTATIVES

