

**AN ACT TO ESTABLISH THE ZANZIBAR
GOVERNMENT PRINTING PRESS
AGENCY AND PROVIDE BETTER PROVISIONS
RELATED TO FUNCTIONS, POWERS,
ADMINISTRATION AND OTHER
MATTERS CONNECTED THERETO**

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ACT NO. 12 OF 2018

I ASSENT

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

30th October, 2018

**AN ACT TO ESTABLISH THE ZANZIBAR GOVERNMENT PRINTING
PRESS AGENCY AND PROVIDE BETTER PROVISIONS RELATED
TO FUNCTIONS, POWERS, ADMINISTRATION AND
OTHER MATTERS CONNECTED THERETO**

ENACTED by the House of Representatives of Zanzibar.

**PART ONE
PRELIMINARY PROVISIONS**

Short title
and
Commence-
ment.

1. This Act may be cited as the Zanzibar Government Printing Press Agency Act, 2018 and shall come into operation immediately after being assented to by the President.

Interpreta-
tion.

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

“Agency” means the Zanzibar Government Printing Press Agency as established under section 3 of this Act;

“Board” means the Board of Directors of the Agency as established under section 8 of this Act;

“Chairperson” means the Chairperson of the Board and includes any other person performing the functions of the Chairperson;

“Executive Director” means the Executive Director of the Agency appointed under the provisions of section 21 of this Act;

“Member” means a member of the Board of Directors;

“Minister” means the Minister responsible for the Zanzibar Government Printing Press Agency;

“Ministry” means the Ministry responsible for the Agency;

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

"Printing" means any works produced by using any kind of printing machine including books, receipts, calendars and any other documents or works related thereto.

PART TWO ESTABLISHMENT AND ADMINISTRATION OF THE AGENCY

3. There is hereby established a Government Agency to be known as Zanzibar Government Printing Press Agency.

Establishment of the Agency.

4. The Agency shall have the power to:

Powers of the Agency.

(a) acquire, hold, purchase or dispose any movable and immovable property;

(b) enter into any contract;

(c) borrow any such sum of money from any financial institution in accordance with the provisions of the Public Finance Management Act; and

- (d) perform any act which an Agency of its nature may by law, be entitled to do according to the Act.

Seal and
logo of the
Agency.

5.(1) There shall be a common seal and logo of the Agency in a shape and size as may be determined by the Board.

(2) The logo of the Agency shall be the acronym of the name of the Agency as may be determined by the Board.

(3) The application of the seal of the Agency on any document shall be authenticated by the signature of the Executive Director or any other officer of the Agency authorized by the Executive Director.

(4) Every document purported to be an instrument issued by the Agency, sealed with the seal of the Agency and authenticated in accordance with provisions of subsection (2) of this section, shall be deemed to be an instrument of the Agency.

Objectives of
the Agency.

6. The objectives of the Agency shall be to:

- (a) provide the highest standards of printing services and produce a wide range of specialized printing solutions in a cost effective way;
- (b) provide government central store for stationery and office equipment services to the public and private sectors;
- (c) strengthen staff professional capacity to cope with the growth of modern printing technology; and
- (d) enhance social and environmental impact assessment for protection and solutions to possible hazards to the factory and surrounding community;
- (e) increase the revenue of the Agency and Government in general through its services provided.

- (f) keep government secrets and confidentiality from documents printed by the Agency.

7.-(1) In the performance of its functions according to this Act, the Agency shall provide Printing and Central Store of stationeries and office equipment services.

Functions
of the
Agency.

(2) In providing printing services, the Agency shall have the functions to:

- (a) print and publish Official Gazette, Bills, Legislations, Regulations, Legal Notice and other documents;
- (b) produce publications;
- (c) operate, manage, control, maintain, and develop Government printing industry;
- (d) provide affordable, efficient and improved standards of printing service to the public;
- (e) disseminate unclassified Government printed materials for public consumption through Government bookshops in and outside Zanzibar;
- (f) advise the Government on issues pertaining to technological changes in printing industry; and
- (g) keep and maintain records of all documents printed at the Agency.

(3) In providing Central Store of Stationeries and Office equipment, the Agency shall have the functions to:

- (a) sell stationeries and office equipment for the public and private institutions;
- (b) conduct needs assessment of stationeries and office equipment for the public institutions;

- (c) conduct evaluation of stationeries and office equipment uses for all public institutions; and
- (d) strengthen partnership with any institution or company in and outside Zanzibar which produces or manufactures stationeries and office equipment for providing good services in all Government Institutions.

(4) The Agency may perform any other functions necessary or expedient for or in connection with the exercise of its functions under this Act.

(5) In the performance of its functions, the Agency shall perform and manage its functions in professionalism, efficiency, confidentiality and ethics of printing.

(6) The Agency may enter into agreement, after approval of the Board, with other Printing Press or any institution with its similar interest for organizing efficient and improving quality standard of printing services to the public.

(7) For the purpose of pursuing its functions and implement its obligations, the Agency may establish branches any where as it deems necessary.

PART THREE MANAGEMENT AND ADMINISTRATION OF THE AGENCY

The Board of Directors. **8.** There shall be a Board of Directors of the Agency which shall be composed of:

- (a) Chairperson who shall be appointed by the President;
- (b) Executive Director;
- (c) One senior officer from the Ministry for Finance;
- (d) One senior officer from the Ministry;

- (e) Senior State Attorney from Attorney General's Chambers; and
- (f) Other two members who shall be appointed by the Minister, in the cause of appointment, the Minister shall observe gender and qualifications in the field of printing management, mass communication, business management, information and communication technology and other related qualifications.

9. Functions of the Board shall be to:

Functions
of the
Board.

- (a) oversee the operation of the Agency;
- (b) advise the Minister on the development of policies and strategies relating to printing services;
- (c) review and approve policies, business and operating plan, budget, reports and audit financial statements of the Agency having regard to the Agency's objectives set out in this Act;
- (d) monitor on the performance of the management of the Agency;
- (e) provide strategic guidance;
- (f) conduct managerial oversight;
- (g) ensure that good governance, sound policies and practices are in place and implemented;
- (h) ensure the efficient use of resources; and
- (i) perform any other function conferred by this Act or which may be necessary for achieving the purposes for which the Agency is established.

Committee
and
Delegation
of functions
of the
Board.

10.-(1) The Board, when it deems necessary, may establish a Committee for better performance of its functions.

(2). The Board may, if it deems fit for the proper discharge of its functions, delegate some of its functions to a Board Committee.

Powers of
the Board.

11. The Board shall have a general supervisory powers in respect of the performance of the functions of the Agency, and in particular shall have powers to:

- (a) establish and supervise Staff Regulations and Financial Regulations for the Agency;
- (b) recommend the Organizational Structure of the Agency;
- (c) recommend to the relevant authority, any alteration in salaries, wages or other terms and conditions of service of employees of the Agency;
- (d) recruit or appoint staff of the Agency in accordance with the Public Service Act;
- (e) take disciplinary actions against any staff in case of the violation of code of conduct according to the Public Service Act and its Regulations or this Act;
- (f) approve fees, rates and other charges; and
- (g) recommend to the Minister, a decision of the Board meetings or changes relating to any functions and powers of the Agency.

Vice-Chair-
person.

12. The Board members shall elect one among them to be a Vice-Chairperson of the Board.

Tenure of
the Board.

13. The Chairperson shall hold office for the term of four years and may be eligible for re-appointment for another one term and other

members of the Board shall hold office for a term of three years and may be eligible for re-appointment.

14. The office of a member of the Board shall become vacant:

Vacancy
of a
Member.

- (a) upon his death;
- (b) if, without sufficient cause, he fails to attend three consecutive meetings of the Board;
- (c) if he resigns or becomes in any manner disqualified from membership of the Board; or
- (d) if he becomes incapacitated by reasons of physical or mental health to perform his duties.

15. The Board shall appoint a legal officer who is an employee of the Agency with at least first degree in law and experience of not less than three years to be a secretary to the Board.

Secretary
of the
Board.

16.-(1) The Board shall meet ordinarily once in every three months and may meet at any time when the need arises for the discharge of its business.

Meetings
of the
Board.

(2) All meetings of the Board shall be convened by the Chairperson or in his absence by the Vice-Chairperson.

(3) The meeting of the Board shall be presided by the Chairperson, in his absence Vice chairperson shall preside the meeting, in the absence of both Chairperson and Vice Chairperson, the members present shall elect one among them to preside the meeting.

(4) More than half of the members of the Board may request in writing to the Chairperson to convene a meeting upon receiving the request, the Chairperson may hold the meeting within twenty one days.

17. More than half of the total number of members shall constitute a quorum at every meeting of the Board.

Quorum
of the
meeting.

Decisions
of the
Board.

18. The Board shall make its decision by consensus and in the event of disagreement, the decision shall be reached by voting and in case of any equality in the votes, the Chairperson or Vice Chairperson or member presiding the meeting shall have a casting vote.

Personal
Interest.

19.-(1) A Member of the Board who has a direct interest in a matter being considered or about to be considered by the Board shall, as soon as the relevant facts have come to his or her knowledge, disclose the nature of his or her interest to the Board.

(2) Unless the Board otherwise determines in respect of that matter, that member shall not participate in any deliberation on the matter by the Board.

Minutes of
Meetings
of the
Board.

20. The minutes of all proceedings of each meeting of the Board shall be confirmed by the Board at its next meeting and signed by the Chairperson of the meeting and Secretary of the Board.

Allowances
of Board
members.

21. The Chairperson and other members of the Board shall be entitled to be paid such allowances and other remuneration as the Minister may determine from time to time subject to the Public Service Act, Regulations and guidance.

Appoint-
ment of
Executive
Director.

22.-(1) There shall be an Executive Director who shall be appointed by the President.

(2) A person shall qualify to be appointed as the Executive Director if he:

- (a) is a Zanzibari;
- (b) holds at least a first degree from any recognized university in press technology, information and communication technology, mechanics and electrical engineering, human resource management and administration or any other related fields; and

- (c) has working experience of at least seven years in one of the fields mentioned in paragraph (b) of this section.

23. (1) The Executive Director shall be a Chief Executive Officer of the Agency and a Chief Government Printer and shall be responsible for day to day operations, performance and management of the Agency.

Functions
of
Executive
Director.

(2) Without prejudice to the provision of subsection (1) of this section, the Executive Director shall be responsible for:

- (a) accountability of all income and expenditure of the Agency;
- (b) issuing publications in line with standards relating to printing industry;
- (c) the proper management of the fund and properties of the Agency;
- (d) insuring that the policies of the Agency are implemented and the agreed objectives, targets and standards are met;
- (e) proposing and implementing the strategic plan, business plan and operational plan of the Agency;
- (f) managing the affairs of the Agency in an efficient and effective quality service delivery;
- (g) providing technical assistance to the Board;
- (h) act as the chief adviser to the Government on all printing and publishing matters;
- (i) preparing the Government printing systems of the Agency and in particular ensuring that;
 - (i) provision of safe and secure printing service;

- (ii) operation of printing infrastructure;
 - (iii) the printing system, equipment and other facilities of the Agency are obtained;
 - (iv) sustainability of services maintained by operating in a prudent and business like manner, adapting continuous improvement and quality management;
 - (v) production of accurate, timely, comprehensive and relevant printing industry information for planning and decision making purposes;
 - (vi) there are safety of staff, machines and conducive working environment; and
- (j) carry out any other duty necessary or desirable for the proper discharge of functions under this Act as may be assigned to him by the Board.

Establish-
ment of
Depart-
ments of the
Agency.

24.-(1) There shall be departments, units or divisions within the Agency as may be determined by the Board and upon the approval of the Public Service Commission.

(2) Subject to the subsection (1) of this section, the Agency departments shall include:

- (a) Factory Operation Department;
- (b) Public Relations, Marketing and Central Store of Stationeries and Office Equipment Department; and
- (c) Planning and Administration Department.

(3) Without prejudice to subsection (2) of this section, the Board may establish any other department as it deems fit.

(4) The departments, units or divisions established under subsection (1) of this section, shall perform functions according to the structure of the Agency as approved by the Public Service Commission.

(5) Head of Department shall be appointed by the Board and shall be a person with relevant knowledge and sufficient experience to perform the functions in the respective Department.

(6) The Head of Department, Unit or divisions shall perform his function under supervision of the Executive Director.

25.-(1) The Agency shall have sub office in Pemba which shall be led by the Head of such office as appointed by the Board. Sub office in Pemba.

(2) The Head of Sub Office of Pemba shall work under the directives and supervision of the Executive Director.

26. In the performance of his functions, the Minister shall have the power to supervise the implementation of policies related to the Agency and provide general directives and orders to the Agency and Board. Power of the Minister and his Relation to the Agency.

27. Subject to the provisions of the Public Service Act and this Act, the Agency shall be responsible to submit any managerial and operational information to the Ministry whenever needed. Relationship between the Agency and Ministry.

PART FOUR FINANCIAL PROVISIONS

28. Funds and resources of the Agency shall include: Funds of the Agency.

- (a) such sums as may be approved by the Zanzibar House of Representatives;
- (b) such fees or charges payable to the Agency for services rendered;

- (c) such lawful grants, gifts, donation, contributions, loans, bequests, or investment as may be received from any person or organization; and
- (d) any other monies that may be vested or legally acquired by the Agency.

Accounts
of the
Agency.

29.-(1) The Agency shall keep proper books of accounts not later than three months after the end of each financial year and shall prepare:

- (a) a statement of the assets and liabilities of the Agency on the last day of the financial year, to be submitted and audited by the Controller and Auditor General;
- (b) a statement of income and expenditure of such financial year; and
- (c) any other financial report as may be required;

(2) All incomes collected from services rendered by the Agency shall be deposited to the bank account subject to and in accordance with the Public Finance Management Act.

Annual
performa-
nce report.

30. The Agency shall, subject to the approval of the Board within six months after the end of each financial year, submit to the Minister an annual report in respect of that year containing:

- (a) a copy of the audited accounts of the Agency, together with the auditor's report on those accounts;
- (b) a report on performance against key targets and any other related information;
- (c) report on the operations of the Agency during the financial year; and
- (d) such other information on the activities of the Agency as the Minister may require.

31. The Agency may, subject to the approval of the Minister responsible for finance and in accordance with the provisions of the Public Finance Management Act, open bank account in any bank to deposit its moneys and operate such account for the proper and facilitate the performance of its function under this Act.

PART FIVE OFFENCES AND PENALTIES

32.-(1) Any person, employed in the execution of any duty under this Act, who:

- (a) by virtue of his employment becomes possessed of any information and uses such information for his interests or business transaction which might influence or affect security, interest or business transaction and who, before such information is made public, directly or indirectly uses such information for personal gain;
- (b) without lawful authority publishes or communicates to any person other than in the ordinary course of his employment, any information acquired by him in the course of such implementation of functions of the Agency; or
- (c) knowingly complies for issue, or distortion or falsify information;

commits an offence and upon conviction shall be liable to a fine of not less than Five Million Tanzania Shillings but not exceeding Ten Million Tanzania Shillings or to imprisonment for a term of not less than two years but not exceeding four years or to both such fine and imprisonment.

(2) A person who, being in possession of any information or document which to his knowledge has been disclosed or giving out in contravention of the provisions of this Act, publishes or communicates to any other person such information, commits an offence and upon

conviction shall be liable to a fine of not less than Three Million Tanzania Shillings but not exceeding Five Million Tanzania Shillings or to imprisonment for a term of not less than two years but not exceeding three years or to both such fine and imprisonment.

(3) A person who uses raw materials or machine of the Agency for his private activities commits an offence and upon conviction, shall be liable to a fine of not less than Two Million Tanzania Shillings but not exceeding Five Million Tanzania Shillings or imprisonment for a term of not less than six months but not exceeding two years or both such fine and imprisonment.

(4) A person who sells, uses or allows the use of machine of the Agency without permission and approval of the Agency, commits an offence and upon conviction, shall be liable to a fine of not less than Five Million Tanzania Shillings but not exceeding Ten Million Tanzania Shillings or imprisonment for a term of not less than two years but not exceeding five years or both such fine and imprisonment.

(5) A person who assists or allows any technician from outside of factory without prior consent of the Executive Director commits an offence and upon conviction, shall be liable to a fine of not less than Three Million Tanzania Shillings but not exceeding Five Million Tanzania Shillings or imprisonment for a term of not less than two years but not exceeding three years or both such fine and imprisonment.

(6) Any person or institution which uses seal or logo of the Agency without consent of the Executive Director, commits an offence and upon conviction, shall be liable to a fine of not less than Three Million Tanzania shillings but not exceeding Five Million Tanzania Shillings or imprisonment for a term of not less than two years but not exceeding three years or both such fine and imprisonment.

PART SIX MISCELLANEOUS PROVISIONS

33. A member of the Board, staff or other person in the services of the Agency shall not be personally liable for an act, matter, or thing done or omitted to be done in good faith in the course of performance of his duty or function under this Act. Immunity.

34. Assets and liabilities which were vested in the Agency before this Act, shall immediately after coming into operation of this Act, be vested in the Agency subject to all interests, liabilities, charges, obligations and trusts effecting those assets. Vesting of Assets and liabilities.

35.-(1) The Agency shall have a duty to provide its services to all Ministries, Departments, Authorities, Corporations and other government institutions and each government institution shall be obliged to seek printing and stationary services to the Agency. Obligation of Government Institutions.

(2) When the Agency fails to provide services prescribed under subsection (1) of this section, the Executive Director may allow by written notice to the relevant government institution to print or procure stationeries and office equipment outside the Agency.

(3) Subject to the provisions of subsection (1) of this section and notwithstanding the provisions of the Procurement and Disposal of Public Assets Act, all government institutions shall follow the procurement method of single source.

36. Any document which shall be published or printed by the Agency shall be reserved as copy in the Agency Archives. Reserved Copy.

37.-(1) The Minister may, after consultation with the Board, make Regulations for the better carrying out the provisions of this Act. Power to make Regulations.

(2) Without prejudice to the generality of the provisions of subsection (1) of this section, the Minister may, in particular make Regulations on:

- (a) access of documents and information kept by the Agency;
- (b) violation of the provision of section 36 of this Act; and
- (c) provide for anything which may be necessary and desirable for the proper discharge of functions of the Agency.

Repeal and saving.

38.-(1) The Legal Notice No. 54 of 2016 is hereby repealed.

(2) Anything done or purported to be done under the Legal Notice No. 54 of 2016 before the commencement of this Act, shall be deemed to have been done in accordance with the provisions of this Act.

PASSED by the House of Representatives of Zanzibar on 3rd October, 2018.

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(RAYA ISSA MSELLEM)

Clerk of the House of Representatives of Zanzibar.