## PROPOSED AMENDMENTS OF THE FISHERIES ACT, CAP 279

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko				
A	An act to repeal and replace the Fisheries Act, 2003, to make provisions for sustainable development, protection, conservation and control of fish, fish products, fishery and for related matters.  PART I  PRELIMINARY PROVISIONS									
Short title and comm encem ent	1. This Act may be cited as the Fisheries Act, 2003 and shall come into operation on a date which the Minister may by notice published in the <i>Gazette</i> , appoint.	-Retained-		1. Sheria hii itanukuliwa kama sheria ya Uvuvi ya mwaka 2003 na itaanza kutumika tarehe ambayo waziri atatoa notisi kwenye gazeti la serikali						
Interpretation	2. For the purpose of this Act, unless the context requires otherwise-  "Act" means the Fisheries Act, 2003; "approval number" means a unique combination of letters and numbers	-Retained		2. Kwa ajili ya madhumuni ya sheria hii, isipokuwa kama inahitajika vinginevyo-  Sheria maana yake sheria ya Uvuvi ya mwaka 2003  "Idhini ya kibali" maana yake ni mchanganyiko wa herufi na namba za maalum zilizowekwa na Mkurugenzi kwa kiwanda cha kuchakata						

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	assigned by the Director to a fish processing establishment located on land or a fishing vessel for the purpose of showing that the establishment or a fishing vessel has been inspected and conforms with the required layout and			mazao ya Uvuvi kilichopo nchi kavu au chombo cha uvuvi kwa madhumuni ya kudhibitisha kuwa kiwanda hicho kimekaguliwa na kinakidhi viwango vinavyotakiwa		
	standards; Aquatic Flora" means all aquatic plants and other members of the aquatic plants Kingdom including corals, spongers and weeds	-Retained-		"Mimea ya kwenye Maj" maana yake ni mimea yote ya majini ikiwa ni pamoja na matumbawe, na magugu		
	"Aquatic	-Retained-		"Tabaka la chini ya maji" ni		

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	substrate" means an rock, stones, gravel, sand, shell, limestone, dead coral, whether or not moved from its natural location			mwamba, mawe, changarawe, mchanga, chokaa, mawe ya matumbawe, kama hayakuhamishwa kutoka eneo lake la asili		
	"Artisanal fisheries" means categories of fisheries that are of small scale and not commercially oriented, using relatively small amount of capital and in which fishers have usually a traditional involvement with fishing	-Retained-		"Uvuvi wadogo" ni wavuvi wanautumia zana duni na aghalabu huwa na kiasi kidogo cha mtaji		
		adding the following new definition: -  "auction market" means a facility where fish from the primary production are landed, presented			Tafsiri mpya iliyoongezwa ni: - "soko la mnada" ni maana kituo ambapo samaki kutoka eneo la uzalishaji hushushwa ili kuuzwa kwa umma	

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		and sold to public;				
	"Auditor" means a fish inspector authorized to check on compliance of quality standards regulations issued under this Act	-Retained-		"Mkaguzi" maana yake ni mkaguzi wa samaki aliyeidhinishwa ili kufuatilia utekelezaji wa kanuni za viwango vya ubora ziliyotolewa chini ya Sheria hii		
	"authorized associations" means anybody of persons incorporated or not incorporated and includes a beach management unit declared so under this Act	-Retained-		" Vyama vyenye mamlaka " maana yake ni mtu yeyote kwa kujumuishwa au bila kujumuishwa ikiwa ni pamoja vikundi vya Usimamizi shirikishi vilivyotangazwa chini ya Sheria hii		
	"authorized officer" means the Director or any fisheries officer or a member of beach management unit or other person authorized in writing by the Director to exercise any power or	modifying the definition of "Authorised Officer" to read "Authorized officers" means the Director or officers in charge of licensing and		"Afisa aliyeidhinishwa" ni Mkurugenzi au Afisa wa uvuvi au mwanachama wa kikundi cha usimamizi shirikishi wa rasilimali za uvuvi au mtu mwingine aliyeidhinishwa kwa maandishi na Mkurugenzi kutumia mamlaka, kutekeleza kazi yoyote chini	aliyeidhinishwa" imeboreshwa ili isomeke: wa kusoma  "Maafisa walioidhinishwa" maana yake ni Mkurugenzi au	

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	to discharge any duty under this Act or any subsidiary legislation made under this Act;	enforcement procedures, as well as the fisheries inspectors and fisheries officers or other person appointed as such in writing by the Director to discharge any duty under this Act or any subsidiary legislation made under this Act;		ya Sheria hii au sheria yoyote ndogo iliyotungwa chini ya Sheria hii;	na taratibu za utoaji leseni na utekelezaji, pamoja na wakaguzi wa uvuvi na maafisa wa uvuvi au mtu mwingine aliyechaguliwa kama vile kwa maandishi Mkurugenzi wa kutekeleza wajibu wowote chini ya Sheria hii au sheria yoyote ndogo inayofanywa chini ya Sheria hii;	
	"batch" means a quantity of fish or fishery products obtained under practically identical circumstanc;			" mazao yaliyoyozalishwa kwa pamoja " ni kiasi cha samaki au mazao ya samaki yaliyozalishwa katika mazingira yanayofanana		
	"beach management unit" means a group of devoted stakeholders in a fishing community whose main function is management	modifying the definition of "beach management unit" to read "Beach management unit"		"Kikundi cha ulinzi shirikishi wa rasilimali za Uvuvi " ni kikundi cha wadau waliojitolea katika jamii ya uvuvi ili kuhifadhi, kusimamia na kulinda rasilimali za uvuvi katika	Tafsiri ya neno ''kikundi cha ulinzi'' imeboreshwa na itasomeka kama "Kikundi cha ulinzi" maana yake ni kundi	

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	conservation and protection of fish in their locality in collaboration with the government;	means a group of devoted stakeholders in a fishing community whose main function is management, conservation and protection of fisheries resources and its environment in their locality in collaboration with the government.		eneo lao kwa kushirikiana na serikali;	la wadau wa wanaojitolea katika jamii ya uvuvi ambao kazi yao ni usimamizi, uhifadhi na ulinzi wa rasilimali za uvuvi na mazingira yake katika eneo lao kwa kushirikiana na serikali.	
		Adding new definitions  "biodiversity"" means the variability from all sources among living organisms including diversity within species (genetic diversity), between species			Kuongeza tafsiri mpya  "bioanuwai" ni tofauti iliyopo miongoni mwa viumbe hai ikiwa ni pamoja na utofauti wa aina na mazingira;	

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		and of ecosystems "biotechnology" means the use of			"Bioteknolojia" maana yake ni	
		biological systems to produce products, process or service"			matumizi ya mifumo ya kibiolojia kuzalisha bidhaa, kuchakata huduma	
	"beach seine" means a fishing net designed to hang vertically in the water, the ends being drawn together to the beach while the foot rope drags through the fishing ground;	The principal Act is amended by inserting immediately after the word "water" the words 'when operated" and inserting the word 'are" immediately after the word "ends" in the definition of "beach seine";		"kokoro" maana yake ni wavu wa kuvulia uliotengenezwa kwa ajili ya kuning'inizwa mshazari ndani ya maji, unapotumika miisho yake huzamishwa pamoja wakati mlezi wa chiniunaburuta kwenye sakafu ya eneo la maji;	Sheria hii imerekebishwa kwa kuingiza baada ya neno "maji" maneno 'wakati yameendeshwa' na kuingiza neno 'ni' mara baada ya neno "kumaliza" katika ufafanuzi wa "kokoro";	

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		"brood stock" is a group of sexually matur e individual species that is under breeding stage in the wild kept intentionally for sustaining the stock;			"Kizazi" ni kikundi cha kijinsia zilizokomaa zilizo katika hatua ya kuzaliana zilizowekwa katika mazingira ya uasili ili zitunzwe;	
	"buffer zone" means beach area measured immediately after the highest water mark and it extends landwards to 260 metres; the first 60 metres can be authorized for safe used on temporary basis while the next 200 metres can be used for different purposes subject to permission granted by the Minister responsible for lands	The principal Act is amended by inserting immediately after the words "first 60 metres can be" the words "authorized for safe" and the words "and other relevant authorities after the word "lands" in the definition of "buffer zone";	For clarity	"Eneo la huru''ni eneo la bahari mara baada kupima eneo lenye kina kirefu na linaendelea hadi mita 260; mita 60 za kwanza zinaweza kuidhinishwa kwa usalama kutumika kwa muda mfupi wakati mita 200 zinazofuata zinaweza kutumika kwa madhumuni tofauti kulingana na idhini iliyotolewa na Waziri anayehusika na ardhi na mamlaka husika;	Sheria hii imebadilishwa kwa kuingiza mara moja baada ya maneno "mita 60 za kwanza "yaliyoruhusiwa salama" na maneno "na mamlaka nyingine baada ya neno" ardhi "katika ufafanuzi wa" eneo la huru";	

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	and other relevant authorities;					
		adding the following new definitions:-  "capture fisheries" means fishing practices in natural water bodies;  "canning" means a process of preserving fish and fishery products in			Tafsiri zifuatazo zimeongezwa - "uvuvi wa asili" ni uvuvi unaofanyika katika ya maji ya asili;  "kusindikwa" ni mchakato wa kuhifadhi samaki na bidhaa za uvuvi katika vyombo visivyoruhusu hewa;	
		hermetically sealed and sterilized containers;  "by-catch" means species (or size class) in a fishery targeting other species (or a different size			"Samaki waliokamatwa bila kukusudia" ni aina za samaki waliokamatwa bila kukusudia	

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		range of the same species);				
	"chief fisher" means a person in charge of a fish landing station;	-retained-		"Mvuvi mkuu" maana yake ni mtu anayesimamia kituo cha kutua samaki;		
	"chiller" means a suitable insulated hold or room where fish or fishery product is kept at a temperature between 0°C and 4°C;	modifying the definition of "chiller" to read:- "chiller" means a machine that chills fish or fishery product at a temperature between 0°C and 2°C;		"kipooza joto" ni chumba ambacho samaki au bidhaa za uvuvi huhifadhiwa kwenye joto kati ya 0°C na 4°C;	Tafsiri ya kipooza joto imeboreshwa ili isomeke :- mashine inayopooza samaki au mazao ya uvuvi katika kati ya 0°C na 2°C	
	"chilled product" storage hold" means suitable hold or room with a cooling medium in which a product is stored at a temperature between 0°C and 2°C;	The principal Act is amended by inserting immediately after the word "stored" the words "at a temperature between 0°C and 2°C;" in the definition of "chilled product		"Bidhaa zilizopoozwa" kuhifadhiwa "inamaanisha kufaa au chumba kwa kiwango cha baridi ambacho bidhaa huhifadhiwa kwenye joto kati ya 0°C na 2°C;		

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	"chilling" means the process of cooling fish or <b>fishery</b> product to temperature approaching that of melting ice (0 <sup>0</sup> C);	storage hold"  deleting the words "a fish" and substituting for it the word "fishery" in the definition of "chilling"		"upoozaji" ni kitendo cha kupooza samaki au bidhaa za uvuvi karibu na joto la barafu inayoyeyuka (0 <sup>0</sup> C);	kufuta maneno "samaki" kwa kuingiza neno "uvuvi"	
		adding the following new definition:- "closed area" means a specified aquatic habitat where fishing activities are prohibited for a specified period and purposes;			Tafsiri ifuatayo imeongezeka - "eneo lililofungwa" linamaanisha eneo la maji ambalo shughuli za uvuvi zinaruhusiwa kwa wakati maalum;	
	'coastal zone" means the area from the baseline of territorial sea landward side to 60 meters as prescribed by the Land Act, the land adjacent to natural or manmade	-Retained-		'eneo la Pwani" ni lina eneo kutoka kwa msingi wa eneo bahari ya chini ya ardhi hadi mita 60 kama ilivyoelezwa na Sheria ya Ardhi, ardhi ya karibu na miili ya maji ya asili au ya manmade au alama ya maji;		

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	water bodies or water mark;					
	"cold store" means an approved premise where fish or fishery product is stored at temperature of - 18 C or lower;	Retained-		"chumba baridi" ni chumba au eneo ambalo samaki wamwhifadhiwa na lina joto la - 18 C au chini;		
	"closed period" means any period during which, in relation to any specie or kind of fish, or aquatic flora, such fish, or aquatic flora, as the case may be, may not be captured, killed, injured, gathered or collected;	Retained-		"kipindi cha kufunga uvuvi" ni kipindi ambacho, kimezuiliwa kuvua, kukusanya mazao ya uvuvi.		
		adding the following new definitions:-  "collaborative fisheries management" means an			Kwa kuongeza tafsiri mpya ifuatayo -  "Maeneo ya usimamizi wa pamoja" maana yake ni utaratibu ambapo watumiaji	

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		arrangement where resource users and the government share responsibilities in the sustainable management and development of fisheries resources;			wa rasilimali hushiriki na serikali katika usimamizi na maendeleo ya rasilimali za uvuvi;	
		"collaborative fisheries management area" means a local management area within geographical areas of freshwater and marine territorial waters of Tanzania;				
	"commercial fisher" means any person who engages in fishing for the purpose of catching	Fisher" to read:-	For clarity, for certainty	Mvuvi wa kibiashara ni mtu yeyote anayejihusisha na uvuvi kwa ajili ya biashara	Imeboreshwa ili isomeke:- Mvuvi wa kibiashara ni mtu yeyote, shirika	

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	fish for sale;	fisher' means any person or an enterprise engaged in the activity of catching fish from capture fisheries mainly for commercial or sale purposes			anayejihusisha na uvuvi kutoka maji ya asili kwa ajili ya biashara au kuuza	
		adding the following new definitions:-  "complementary products" means all products used and added before, during and after the production, preparation, processing or transformation of fishery products, including ice, packaging and all ingredients for processing fish			tafsiri mpya iliyoongezwa:- "Bidhaa za ziada" inamaanisha bidhaa zote zinazotumiwa na kuongezwa kabla, wakati na baada ya uzalishaji, aandalizi, usindikaji wa mazao ya uvuvi, ikijumisha na barafu, vifungashio na viungo inavyotumika katika uchakataji wa mazao ya uvuvi	

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		and fishery products;				
	"competent authority" means the Director or any other officer delegated by the Director to perform functions under this Act;	-Retained-		"Mamlaka yenye uwezo" maana yake ni Mkurugenzi au afisa mwingine yeyote aliyetumwa na Mkurugenzi kufanya kazi chini ya Sheria hii;		
		adding the following new definitions:- Competent person means				
		adding the following new definitions:-		akiongezea ufafanuzi mpya - "shughuli zinazoenda pamja na shughuli za kiwanda" ina		
		"connected establishment" means any facility developing an activity linked with the fish processing and transformation,		maana kiwanda ambacho kazi zake zimeunganishwa na kazi za kiwanda kingine cha uchakataji wa mazao ya u vuvi ikiwa ni pamija na uzalishaji wa barafu na kinachozalisha shughuli inayohusishwa na usindikaji wa samaki na mabadiliko,		
		including ice production, fish		ikiwa ni pamoja na uzalishaji wa barafu,		

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		trans-boarding, fish transportation and fish storage		upakiaji, usafirishaji na uhifadhi		
	"critical deficienty" means any condition or malpractice observed in the establishment, which can lead to fish becoming unsafe or unwholesome;	Modify by deleting the word ''deficienty'' and replace it with "Deficient"	For clarity	"upungufu uliokithiri' inamaanisha hali yoyote au ukiukwaji wa masharti na vigezo uliofanywa katika kiwanda ambayo unaoweza kusababisha samaki kuwa salama au	imeboreshwa kwa kufuta neno " deficienty" na kuweka neon "Upungufu"	
		adding the following new definitions:- "Court" means any Court established under The Constitution of the United Republic of Tanzania, The Magistrate Court Act and Appellate jurisdiction Act as may be established from			tafsiri ifuatayo imeongezwa - "Mahakama" maana yake ni Mahakama yoyote iliyoanzishwa chini ya Katiba ya Jamhuri ya Muungano wa Tanzania, Sheria ya Mahakama na Sheria ya Mamlaka ya rufaa ambayo inaweza kuanzishwa kwa ajili ya kuamua migogoro ya uvuvi au makosa	

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		time to time with powers to hear and determine fisheries dispute or offences				
		adding the following new definitions:-  "Containment" action of keeping something harmful under control within the limit			akiongeza ufafanuzi mpya wafuatayo - "kudhibiti" hatua ya kuweka kitu kibaya chini ya udhibiti ndani ya kikomo	
	"critical habitat" means a habitat that is essential for maintaining integrity of an ecosystem, species or assemblages of species; "critical limit" means a physical value of chemical or	-Retained-				
	chemical or biological parameter which separates					

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	acceptability from					ko
	unacceptability;					
	"corrective measure"	-Retained-				
	means any action or					
	activity that can be					
	used to					
	eliminate hazard or					
	reduce their impact or					
	occurrence to					
	acceptable					
	levels;					
	"control measure"	-Retained-				
	means any action or					
	activity that can be					
	used to eliminate					
	hazard or reduce their					
	impact or occurrence					
	to acceptable levels;					
	"consignment" means	-Retained-				
	a quantity of fish or					
	fishery products					
	destined for					
	one or more					
	customers within or					
	outside the country					
	and					
	conveyed by any					
	means of transport;	D				
	"controlled area"	-Retained-				

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	means an area declared to be a restricted area under this Act;					
	"coral" means a living or dead calcareous skeleton secreted by polyploid coelenterates of class Anthrozoa;	-Retained-				
	"dam" includes any fixed obstruction used for the purpose of retaining or controlling the flow of water;	-Retained-				
	"defrosting" means the process of removing frost and ice from freezer and freezer store, refrigerated plate or coils, by the introduction of heat, or brushing and scraping;	-Retained-				
	"dehydraction" means the loss of moisture from a frozen product	deleting the word	For clarity			

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	through evaporation;	the word "Dehydration"				
		"designated landing site"				
		means a specific				
		area bordering a lake, dam, river,				
		or sea water				
		where fishers are				
		required to land fish or fishery				
		product for sale;				
	"Director" means the Director of Fisheries appointed under Section 4 of this Act	-Retained-				
	"disinfectant" means a chemical agent that renders an object free from	-Retained-				
	micro-organisms without adversely affecting the object;					
	arreeting the object,	Adding the				
		following new definition:- Fisheries				
		designated areas means (Section v,				

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		subsection h)				
		Adding the following new definition: - "drying"means a process of preserving fish and fishery products by subjecting the same to the sun or any other action to decrease body moisture content;				
	"enforcement officer" means an officer appointed by the Director to perform duties prescribed in Part VIII of this Act;	Modified by deleting the word "Part VIII of"	For clarity			
		Adding the following new definition: - "endangered species" means any species of aquatic flora or fauna that are in				

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		danger of extinction and are protected from capturing, trading, processing or preparing for domestic use;				
	"fish" means all forms of aquatic or amphibious life including finfish, dolphin, whale, dugong, shell fish, turtles and includes spat, brood, fry, spawn, ova and young of all such fish, but does not include any aquatic or amphibious animal which the provisions of the Wildlife Conservation Act, 1974, apply or young of such animals	deleting the words "1974 apply or young of such animals" and replacing with "2009 or as may be amended from	For clarity			

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	"estuary" means an area where river water mixes with sea water or lake water;	- Retained-				
		adding the following new definitions: -				
		"exotic fish" means fish which is not indigenous				
		to Mainland Tanzania				
	export" means taking away of fish, fishery products and aquatic flora from the country	- Retained-				
	to any other place outside Mainland Tanzania;					
	"explosives" means a dynamite or bomb; or blasting agent, detonators	- Retained-				
	or any material used in the manufacture of explosives;					
	"fish establishment"	modifying the				

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	means any premise or vessel where fish or <b>fishery</b> products are prepared, processed, frozen, packaged or stored; but does not include auction and wholesale markets in which only display and sale by wholesale takes place;	deleting the word "fish" immediately after the words "fish or" and substituting for it with the word "fishery" in the				
	"fishery" means every area, locality or place or stations in or which fishing gear is used, set or place or located and also the area, tract or stretch of water in or from which fish may be taken by such fishing gear;	- Retained-				
	"fish dealer" means any person other than a fisher who sells, barters or offers for sale any fish or fish products, and	- Retained-				

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	including every person or body of persons whether incorporated or unincorporated, engaged in the buying, bartering, exposing for sale, preparing, processing, packing or storing, landing or transshipping, any fish or fish products, but does not include a hotel, restaurant, cafeteria or other similar establishment which the Minister may declare not to be a fish dealer for the					
	purpose of this Act.;  "Fish Inspector" means an officer designated under Section 5 (5) (c) of this Act;	modifying the definition of "Fish Inspector" to read: - "Fisheries Inspector" means an officer				

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		appointed under Section 5 (5) (c) of this Act charged with responsibilities prescribed under this Act.					
		a) Adding new definition b) "fisheries" means the places connected with the activities comprised in, the fishing industry, including, the technical scientific objects, acts, processes or systems relating to; c) Business of fishing including					

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		d) Construction or creation of spawning grounds for the purpose of taking or facilitating the taking of fish e) Manufacture of articles or things connected with or for the purpose of the fishing industry f) Control of fishing g) Creation, grant and					KO
		determination of fishing rights h) Reproduction or multiplication of fish i) Fish and fishery related					

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
		products.				
		<b>j</b> )				
		adding the				
		following new				
		definition:				
		"Fingerlings"				
		means young				
		fish				
		about the size				
		of a human f				
		inger that has				
		reached the				
		stage where				
		the fins can				
		be extended				
		and scales				
		have started				
		to develop				
		throughout				
	((C 1 : : : : : : : : : : : : : : : : : :	the body.	T 1 '			
	"fishing weir" means	Modifying the	For clarity			
	any erection,	definition by				
	structure,	replacing the word				
	construction or	1 0				
	obstruction,	substituting for it				
	placed across or					
	in any water	"temporarily" in				
	temporarily or	the definition of				
	permanently	"fishing weir"				

fixed to or			Amendments(Kisw ahili)	za Mabadili ko
resting on the bed or a bank, which is designed for the purpose of collection, gathering, capturing, killing fish or aquatic flora, and includes stake, net and basket trap;				
"fish sanitary certificate" means an official document issued by competent authority for the purpose of attesting the quality of fish and fishery products at the time and site of its departure	-Retained-			

Title	The Fisheries Act No. 22 of 2003 (Current Act)	following new definitions means:- "fish treatment establishment " means any facility where fresh fish are only partially transformed including gutting, de- heading, filleting, cutting and where fish are always sold fresh	Reasons Amendments	for	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
		and chilled;					
		adding the following new definitions means:- "fish processing establishment " any facility or plant					

Title	The Fisheries Act No. 22 of 2003 (Current Act)		Reasons f Amendments	for	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili
	(Current Act)					anni)	ko
		where fish are processed or transformed, including freezing, canning, smoking, salting, drying, frying and packing before marketing;					KO
	"fisher" means an	-Retained-					
	individual who takes part in fishing,						
	conducted from						
	a fishing vessel, a platform whether						
	fixed or floating						
	or from the						
	shore; "fisheries officer"	-Retained-					
	means an officer	-Retained-					
	appointed under this						
	Act to exercise						
	any of the functions						

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons Amendments	for	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	allocated to the						
	officer under this Act;						
	"fish net or net locally	1		for			
	known as Juya la		certainty				
	Kojani or Kavogo or	Fish net means any					
	any	net approved by					
	other applicable						
	name" means a net	· · · · · · · · · · · · · · · · · · ·					
	with mesh size below	,					
	76 mm	activities.					
	(3 inches) which are						
	uniform from wing to code-end and while in						
	use its foot rope drags through the fishing						
	ground while the ends						
	are						
	being drawn together;						
	"fisheries protection	-Retained-					
	vessel" means a	-Ketameu-					
	vessel not engaged in						
	commercial						
	activities, deployed						
	by the state, for the						
	purpose of						
	monitoring,						
	control, surveillance						
	and law enforcement;						
	and is clearly						

Title	The Fisheries Act No. 22 of 2003 (Current Act)		Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	identifiable being a government service					
	"fishing" means collecting, capturing, gathering, killing, snaring or trapping of fish or aquatic flora;	-Retained-				
	"fishing effort" means the level of fishing, as may be defined inter alia, by the number of fishing vessels, number of fishers, amount of fishing gear and the time spent fishing or searching for fish	-Retained-				
	"Fishing gear" means any net, line, cork, buoy, basket, trap, hook or other article apparatus, structure construction or installation whatsoever used for	-Retain-				

Title	The Fisheries Act No. 22 of 2003 (Current Act)		Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	the purpose of fishing;					
	"fishing ground" means an area or locality in any water body where fishing activity is conducted	-Retained-				
	"fishery product" means anything made, extracted or obtained from fish or aquatic flora	-Retained-				
	"fishing vessel" means vessel, boat, ship or any other navigable craft which is used for fishing or related activities, and includes all its equipment;	-Retained-				
	"foreign fishing vessel" means a fishing vessel which is not registered in the United Republic of Tanzania and does not fly the	-Retained-				

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	flag of United Republic of Tanzania					
		adding the following new definition:-				
		"freezing" means subjecting fish and fishery products to a quick refrigeration until obtaining a maximum temperature of -18°C;				
	"fresh product"	modifying the definition of "fresh product" to read: -	For clarity			
	means a fish product whether whole or prepared, which has not undergone any treatment to ensure	"fresh product" means a fish or fishery product				

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	preservation, other than chilling, and includes fish product packed under vacuum or in a modified atmosphere;	prepared, which has not undergone any treatment to ensure preservation, other than <b>chilling</b> , and includes fish <b>or fishery</b> product packed under vacuum or in a modified atmosphere;	For clarity			
	"frozen product" means a <b>fish</b> product which has undergone a freezing process to reach a core temperature of -18°C or lower, after temperature stabilization;	Modifying the definition by inserting immediately after the words "a fish" the word "fishery" in the definition of "frozen product" and replacing "-	For clarity			

Title	The Fisheries Act No. 22 of 2003		Reasons Amendments	for	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw	Sababu za
	(Current Act)	Timenuments	Timenaments		(Kiswanin)	ahili)	Mabadili ko
		18°c" by "negative 18°c"					
	"fresh water sport fish" means any fish exploited for leisure in lakes, dams or rivers and includes the young and the eggs thereof	-Retained-					
	"genetic resource" means genetic material of actual potential value	-Retained-					
	"gill net: means a fishing gear made of thread with standard measurement of 26 meshes deep and ninety meters long used for capturing fin fish by gill operculum						
	"Government fishing vessel" means any fishing vessel belonging to or in the services of the United Republic of						

Title	The Fisheries Act No. 22 of 2003 (Current Act)		Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	Tanzania	adding the following new definition:-  "frying" means a process of preserving fish and fishery products by placing in boiling cooking oil until				KU
	"good manufacturing practice" means a combination of manufacturing and quality control procedures aimed at ensuring that products are consistent manufactured to their specifications;	substituting the word "consistent" with the word "consistently" in the definition of "good	For clarity			

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
		"habitat" means the environment in which fish live, including everything that surround and affects its life: e.g., water quality; bottom; vegetation; associated species (including food supplies);				
	"hazard" means a biological or chemical agent or physical condition with the potential to cause harm and includes any of the following- (a) contamination or re-contamination to unacceptable levels, with a biological, chemical or physical agent or a material, semi finished	Modifying the definition by substituting the word "agent" with the word "agents" in the definition of "hazard"	For clarity			

The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
or unfinished products; (b) or other undesirable microbial metabolites, generations of chemical, growth or survival of microorganisms to unacceptable levels in raw materials, semi finished or finished products; and (c) production or persistence to unacceptable levels, or toxins or other undesirable microbial					
metabolites;	1:0:				
"Hazard Analysis and Critical Control Point (HACCP)" means approach used- (a) to assess the potential hazards	modifying the definition of "Hazard Analysis and Critical Control Point (HACCP to read: -				
" ( a u ( p	Hazard Analysis and Critical Control Point HACCP)" means approach ased- a) to assess the potential hazards	Hazard Analysis and modifying the Critical Control Point HACCP)" means and Critical Control Point seed- Control Point (HACCP to read: -	Hazard Analysis and critical Control Point definition of "Hazard Analysis and Critical Control Point a) to assess the optential hazards modifying the definition of "Hazard Analysis and Critical Control Point (HACCP to read: -	Hazard Analysis and Critical Control Point HACCP)" means and Critical Control Point a) to assess the otential hazards  Hazard Analysis the definition of "Hazard Analysis and Critical Control Point (HACCP to read: -	Hazard Analysis and Critical Control Point HACCP)" means and Critical Control Point a) to assess the otential hazards  Hazard Analysis and definition of "Hazard Analysis and Critical Control Point (HACCP to read: -

Title The Fisher No. 22 of (Current Act	ies Act 2003	Proposed Amendments	Reasons Amendments	for	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
production, processing, preparation distribution and the risk a severity of hazard; (b) to appropriate preventive, comeasures that be applied to eliminate or the hazard to acceptable lev (c) to assurance to appropriate prevention; corrective have been correctly;	identify ontrol or t can prevent, reduce vels; provide that the ontrol or actions	and Critical Control Point (HACCP)" means approach used to:- assess the potential hazards associated with the production, processing, preparation and distribution of fish and the risk and severity of each hazard; identify appropriate preventive, control or measures that can be applied to prevent, eliminate or reduce the hazard to acceptable levels; provide assurance that the appropriate prevention, control or corrective actions have been					

Title	The Fisheries Act No. 22 of 2003 (Current Act)		Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	"immature" in					
	relation to any	definition of				
	species of fish means	"immature" to				
	a fish of that specie	read:				
	which is smaller in size or length than the	"immature				
	size or length					
	prescribed in this					
	Act;	which is smaller in				
		size, weight or				
		length than the size, weight or				
		length and its				
		reproductive				
		organs are not				
		mature as shall be				
		prescribed by the Minister;				
		Willister,				
	"hygiene" means all	-Retained-				
	measures necessary to					
	ensure safety, soundness					
	and wholesomeness					
	of the product at all					
	stages from reception					
	to					

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	final delivery;  "import" means the bringing into the country any fish or fishery product and aquatic flora from any place outside Mainland Tanzania	definition by substituting the	For clarity			
	"immature" in relation to any specie of fish means a fish of that specie which is smaller in size or length than the size or length prescribed in this Act;	-Retained-				
		adding the following new definitions:-  "industrial fishing vessel" means fishing vessels involved in fishing activity,				

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
		equipped with cold store and where fish is transformed, processed and packed on-board;				
		"international conservation and management measures" means measures to conserve or manage one or more species of living aquatic resources that are adopted and applied in accordance with the relevant rules of international				
		adding the following new definitions:-  "illegal fishing" means fishing				

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
		activities conducted by national or foreign vessel and or operators in territorial waters without the permission or in contravention of laws and regulations; "illegal fishing techniques" means methods for catching fish that are detrimental to the resources and environment, and or contravene this Act;				
	"industrial fisheries" means categories of fisheries that are of large scale, commercially oriented and which employ advanced	modifying the definition by substituting the words "technology" with "technology"	For clarity			

Title	The Fisheries Act No. 22 of 2003 (Current Act)		Reasons Amendments	for	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	techonolgy;  "interested party" means any group of persons recognized by management authority as having legitimate interest in the resource being managed;	-Retained-					
	"internal trade" means purchasing or selling of fish or fishery product within the country;	-Retained-					
		"laboratory" means the National Fisheries Quality Control laboratory established under section of this Act;					
	"landing" means the bringing of fish, fishery product or aquatic flora to the harbour, port or beach	-Retained-					

Title	The Fisheries Act No. 22 of 2003 (Current Act)		Reasons for Amendments	or	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	from within or outside the territorial waters for the first time after being caught;						
	"length" means:- (a) in relation to a fishing vessel the overall length of the vessel from forward part of the stem to the side or rim timbers; (b) in relation to a lobster, the distance from the head carapace to the end of the body shell (abdominal length) measured along a line parallel to the centre line of body shell;	-Retained-					
	"Licensing officer" means an officer empowered by the Director to issue licences.	definition of "Licensing	For clarity				

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons Amendments	for	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
		charged with the responsibilities of issuing licences as defined under this Act;					
	"local authority" means district authority, or an urban authority as ascribed to it under the Local Government (District) Authorities Act, 1982 or the Local Government (Urban) Authorities Act, 1982;	-Retained-					
	"major deficiency" means any condition in a product or environment including equipment and materials which if not corrected within reasonable time is likely to cause adverse health conditions to	-Retained-					

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	consumers and or the quality of the product;					
	"management" for the purpose of fish processing establishments, includes any person in charge of an establishment;	-Retained-				
	"mesh" means the opening or space in a net enclosed by threads of the net or, in the case of a wire net, by the <b>strands</b> of wire;	substituting the word "stands" with the word "strands" in the definition of "mesh"	For clarity			
		Adding new definition 'migratory fishers" means a fisher who shall be allowed to stay and conduct fishing in any identified fish camp (dago) after fulfilling all				

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons fo Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
		fishing legal requirements and accepted by the relevant authorities				
	"Minister" means the Minister for the time being responsible for fisheries	-Retained-				
	"mollusc" means a large phylum of invertebrates without segments or limbs, usually having a mantle or folds of skin that secrets a shell, members of the phylum include lamellibranchs, gastropods, cephalopods and scaphopods;	"substituting the word	For clarity			
	"net" means fishing gear made of thread or wire or any other					

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	material designed to be used for the purpose of collecting, capturing, gathering, killing fish or aquatic flora;	"net" means "intertwined material made of twine or wire or any other material designed to be used for the purpose of collecting, capturing, gathering, killing fish or aquatic				
		flora; adding the following new definition:-  "ornamental fish" means fish deliberately used for aquarium or recreational				
	"oyster" means any mollusc of any species of genus Crassostrea	; -Retained-				

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	"owner" as applied to registered fishing vessel or gear, means the registered owner or holder of a fishing licence;;	modifying the definition of "owner" to read: -  "owner" as applied to registered fishing vessel, vehicle or gear, means the registered owner, and as applied to any other vessel or gear means the actual owner of licence, fishing net shop, fish and fishery products, vehicle or fish establishment				
	"poison" means any natural or synthetic chemical used to kill fish;	The principal act is amended by modifying the definition of	For clarity			

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	or	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
		"poison" to read: - "poison" means any natural or synthetic chemical used to harm, disrupt physiological wellbeing or kill fish and other aquatic					
		organisms					
	"processing" means cleaning, filleting, icing, packing, canning, freezing, smoking, salting, drying or otherwise preparing of fish or fish products for marketing;	-Retained-					
	"product of aquatic flora" means anything made out, or composed	-Retained-			"Mazao ya mimea ya majini" inamaanisha kitu chochote kinachojumuisha,au sehemu ya mimea ya majini;		
	wholly or partly of any aquatic vegetation;				senema ya mmea ya majim,		
	"registered tonnage"	-Retained-			" uzito uliosajiliwa "		

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	in relating to a vessel means the tonnage appearing on her certificate of registry;			kuhusiana na chombo inamaanisha uzito wa chombo unaooneka kwenye hati ya usajili ya chombo;		
	"responsible fisheries" means the principles and standards applicable to conservation, management and development of all fisheries and it covers the capture, processing and trade of fish and fishery products, fishing operations, aqua culture, fisheries research and integration of fisheries into coastal area management;  "stakeholder" means a	-Retained-		"Uvuvi unaozingatia wajibu" maana yake ni kanuni na viwango vinavyotumika kwa uhifadhi, usimamizi na maendeleo ya rasilimali za Uvuviinashughulikia kukamata, usindikaji na biashara ya samaki na bidhaa za uvuvi, shughuli za uvuvi na usimamizi wa eneo la Pwani;		
	person or group of persons or institution whose interests are	-Actameu-				

Title	The Fisheries Act No. 22 of 2003 (Current Act)		Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili
						ko
	materially affected,					
	either directly or indirectly, by					
	fishing and fishing					
	related activities					
	subject to this Act;					
	"sea fishery" means	-Retained-				
	fisheries of the waters	Ittiuiiitu				
	which are to the					
	seaward of					
	the high water mark					
	"semi- industrial	-Retained-				
	fishing" means the					
	categories of fisheries					
	that are					
	small scale,					
	commercially					
	oriented, using small					
	amount of capital but without					
	traditional without					
	involvement;					
	"surveillance" means	-Retained-				
	checking and	Ittiuiiitu				
	ensuring compliance					
	with control					
	measures imposed					
	under this Act in					
	fishing and related					

Title	The Fisheries Act No. 22 of 2003 (Current Act)	_	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	activity;					
	"Tanzania fishing vessel or local vessel" means a fishing vessel registered or licensed under this Act which is owned wholly by one or more persons each of whom is a citizen of the United Republic, or by a body corporate or incorporated under and subject to the laws of the United Republic and has its principal place of business in the United Republic also includes a Government fishing vessel;	-Retained-				
	"transshipment"	-Retained-				
	means the unloading of all or any of fish or	Acumeu-				

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	fishery products or product of aquatic flora on board a fishing vessel to another fishing vessel or cargo vessel, a cargo vessel either at sea or in port without the produce being recorded by the port					
	state as landed;  "water pollution" means the introduction by man directly or indirectly of substances or energy into sea water or freshwater including estuaries which results into or is likely to result in such deleterious effects as harmful to fish and other living organisms, hazard to	-Retained-				

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	hindrance to marine activities, including fishing, impairment of quality for the use of sea or freshwater and reduction of amenities;					
	"wholesome fish or fishery product" means fish or fishery product which product is not decomposed, trainted or consisting of undesirable foreign materials such as petroleum products, solvent or solid materials (organic or inorganic) and other organisms such as parasites, insects per a sample unit.	definition by deleting the word " <b>Product</b> " after	For clarity			
		adding the following new definitions:-				

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
		"restocking" means the release of cultured juveniles into the wild to restore the spawning biomass of severely overfished stocks to levels at which they can once again provide sustainable yields;				
		adding the following new definitions:-  "restoration order" means an order requiring the person convicted of				

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
		damaging the environment to reinstate its original form or state;				
		"salting" means a process of using salt to preserve fish and fishery products;				
		"sanitary mark" means a specific mark or label printed or placed in a				
		container or package containing fish or fishery product(s) to				
		allow identification and traceability				

Title	The Fisheries Act No. 22 of 2003 (Current Act)		Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
		of fish or fishery product(s);				
		"smoking" means a process of fish preservation and flavouring which consists of subjecting fish and fishery products to cold or warm smoke for a given period;				
		"Subsistence fisher" means an individual who catches fish for household consumption.				

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	"surveillance" means checking and ensuring compliance with control measures imposed under this Act in fishing and related activity;	Modify the definition by substituting the word "activity" with the word "activities" in the definition of "surveillance"	For clarity			
	"territorial waters" means the waters within the area extending offshore to a distance of twelve nautical miles, measured from the mean low water line along the cost of Mainland Tanzania and the adjacent islands, and including all lakes, rivers dams, fish ponds excluding private fish ponds;	Modify the definition by deleting the word "cost" and replace with "coast"	For proper address			

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
		adding the following new definition:-  "trans-boundary aquatic ecosystem" means aquatic ecosystem shared by more than one country;				
		adding the following new definition:- "treatment" means post-harvest processing of fresh fish inter alia gutting, de-heading, filleting, cutting, portioning,				

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	"trout stream" means any stream which contains trout or	freezing and addition of food preservatives for the purpose of value addition;  Modifying the definition by deleting the	For proper address	"Mkondo wa mto" ina maana ya mkondo wowote ambao una maji ya maji au	Kurekebisha tafsiri	
	any other freshwater sprats fish;	word "sprats" and substituting it with the word "sport" in the definition of "trout stream		maji mengine mengine ya maji ya samaki;	kwa kufuta neno "sprat" kwa kuongeza neno "michezo" katika tafsiri ya neno "mto mkondo''	
		adding the following new definition:			Tafsiri mpya imeongezeka " eneo la maji'' maana yake	

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
		"water body" means territorial and inner sea of Indian Ocean, lake, dam and river where aquatic flora and fauna are found			ni bahari ya Bahari , ziwa, bwawa au mto ambapo viumbe wa majini wanapatikana	
		adding the following new definition:- "wholesale market" means a facility where fish and fishery products are landed, presented and sold in bulk;			Tafsiri mpya iliyoongezwa - "soko la jumla" maana yake ni kituo ambapo samaki na bidhaa za uvuvi zinatokana, zinawasilishwa na kuuzwa kwa wingi;	

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
			PART II			
			ADMINISTRA	TION		
Respon sibilitie s Of the Minist er		Repealed	3. Waziri ana jukumu la kuandaa Sera na kuhakikisha kuwa Maafisa ndani ya wizara anatekeleza majukumu anayohusiana na sheria hii.	For best practice method		
Appointment of the Direct or and his functions	4.(1) There shall be a Director who shall be an officer in the public service  (2) The Director shall be a professional officer in fisheries sciences and advisor to the government in all matters related to management of fisheries.	(1) Retained. (2) Retained	4.(1) Kutakuwa na Mkurugenzi ambaye ni Mtumishi wa Umma (2)Mkurugenzi atakuwa ni Mtaalamu katika Tasnia ya Sayansi ya Uvuvi na atakuwa ni mshauri wa Serikali kwa masuala yote ya			

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
			Uvuvi			
Registr ation, licensi ng, enforc ement officer s and Inspect ors	5.(1) There shall be appointed such officers to ensure efficient effective and economical management and supervision of fisheries in accordance with the provisions of this Act	1) Retained	(6)	5(1) Kutakuwa na Uteuzi wa Maafisa wenye wajibu wa kuhakikisha kuwa usimamizi wenye ufanisi kiuchumi kwa mujibu wa Masharti ya Sheria hii.		
	(2) Officers appointed under this section shall be allocated or delegated such functions and shall be located in such offices or institutions as the Director shall consider appropriate for the proper management of fisheries.	2) Retained		(2)Kwa kuzingatia kifungu hiki Afisa atakayeteuliwa atapangiwa majukumu kama ambavyo Mkurugenzi ataona inafaa ili kuimarisha Usimamizi wa Uvuvi		
	(3) There shall be a central registry of fishing vessels	3) Retained		(3)Kutakuwa na masjala Kuu ya vyombo vya Uvuvi kwa mujibu wa masharti ya		

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	registered in accordance with the provisions of this Act.	4) Retained		yaliyopo katika Sheria hii.		
	(4) For the purpose of this section the Director, shall be the Registrar of fishing vessels.			(4)Kwa madhumuni ya kifungu hiki, Mkurugenzi atakuwa ni Msajili wa vyombo vya uvuvi		
	(5) Subject to the provisions of subsection (2),the Director shall appoint the following- (a) vessel registration and licensing officers; (b)enforcement officers; and (c) fish inspectors.	5) Retained		(5)Kwa mujibu wa kifung Mkurugenzi atafanya uteuzi ufuatao:- (a) Maafisa watakohusika na usajili wa vyombo vya Uvuvi na utoaji wa leseni, (b) Maafisa Wasimamizi, na (c) Maafisa Wakaguzi		
	(6) Officers appointed					

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	under this section shall carry identification cards and be answerable to the Director.	6) Retained				
	(7) The Minister may by notice published in the Gazette, designate any person to be an authorized officer for the purpose of all or any provisions of this Act.	(7)Sub section deleted		<ul> <li>(7) Maafisa wanaoteuliwa kwa Mujibu wa Kifungu hiki watapatiwa Vitambulisho na watawajibika kwa Mkurugenzi</li> <li>(8) Mkurugenzi kwa notisi anaweza kukasimu mamlaka yake kwa ofisa wa utumishi umma,</li> </ul>	Kifungu hiki	
	(8) The Director shall by notice published in the Gazette, and subject to such qualifications or exceptions as may be prescribed therein delegate to such public officer, local authority, the exercise	(8) Sub section modified to read:- The Director May, subject to such qualification delegate to such public officer,		wa utumishi umma, mamlaka ya Serikali za Mitaa kutekeleza majukumu yaliyoanishwa katika sheria hii.  (9) Kifungu hiki hakizuii Mamlaka za serikali za Mitaa kuteua maafisa wenye sifa wanaoweza kutekeleza majukumu	kinaboreshwa na kusomeka ifuatavyo: (Mkurugenzi kwa kuzingatia sifa za kitaalam anaweza kukasimu mamlaka	

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	any of the functions conferred or imposed on him by this Act.  (9) Nothing in this section shall be taken to prevent any local authority from appointing such qualified officers as it considers necessary to enable it to discharge such functions as are vested in it or allocated to it by and under this Act.	performance of any of the functions conferred or imposed on him		mujibu wa Sheria.  (10) Kwa mujibu wa Sheria Maafisa walioteuliwa wa Mamlaka za Serikali za Mitaa watafanya kazi kwa kuzingatia miongozo na maelekezo kutoka kwa Mkurugenzi.  (11) Bila kuathiri maelekezo ya kifungu cha (5), majina ya maafisa wateule yatatangazwa katika Gazeti la Serikali.  (7)	kutekelza majukumu aliyopewa na sharia hii.	
	(10) Any local authority officers appointed to discharge functions under this Act shall have regard to any directives and circulars issued by the Director.					

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	the provisions of subsection (5), the names of officers appointed under this subsection shall be published in the Gazette.					
Conflict of interest	matter concerning fisheries management in which any officer exercising functions under this Act or any member of his immediate family has an interest allocated to, referred to or otherwise comes to that officer for his advice, assistance or decision, that officer shall not excise any	(1) Retained		(1) 6 Iwapo kuna mgongano wa kimaslahi kwa Afisa mwenye wajibu wa usimamizi uvuvi kwa mujibu wa Sheria hii, Afisa huyu hataruhusiwa kutolea ushauri au kutekeleza wajibu.		
	functions under this Act in respect of that matter.  (2) Where the officer referred to in	(2) Retained		(2) Iwapo Afisa anayetajwa katika kifungu (1) ni Mkurugenzi, inampasa		

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	subsection (1) is the Director, he shall declare his interest to the Minister, and where the officer referred to in subsection (1) is an officer appointed under section 5, shall declare his interest to the Director, the Minister or the Director as the case may be, shall appoint another officer to exercise functions in respect of that matter.			kuweka wazi kwa Waziri kuwa ana maslahi katika suala hilo, na iwapo ni Afisa aliyeteuliwa na Mkurugenzi kupitia kifungu (5), inampasa kuweka wazi kwa Mkurugenzi. Waziri au Mkurugenzi atateua Afisa Mwingine kushughulikia suala hilo.		
Inform ation to memb ers of the public	7. The Director and all officers appointed under this Act may, where it is appropriate to do so, provide and disseminate information and guidance, in writing by order or notice to members of the	The Section is modified to read:- The Director or Officers appointed under this Act, through or under the instigation of the Director shall provide and disseminate	For clarity purposes	7. Mkurugenzi na Maafisa walioteuliwa kwa kuzingatia Sheria hii inapobidi wanaweza kusambaza kwa maandishi taarifa na miongozo kwa jamii kufanisha utekelezaji wa Sheria.	kimerekebishwa na kusomeka:	

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	public in connection with the implementation of this Act.	information and guidance, in writing by order or notice to members of the public in connection with the implementation of this Act.			kwa jamii kuwezesha utekelezaji wa Sheria.	
		(1) Retained		8-		
Relationship between the Ministry, Local authorities and fisheries	8(1) The Director shall use his best endeavours to ensure that all the local government authorities and associations of local authorities and other fisheries management authorities are consulted and kept informed of management of fisheries under this Act and any other written laws related to the management of	Sub section is amended by adding the sentence, ",in the event parties fail to reconcile, the decision of the Minister shall be final, but at all the time shall take into account recommendations of the local Government Authorities "		(1) Mkurugenzi kwa uwezo wake wote atahakikisha kuwa Mamlaka za Serikali za Mitaa, Taasisi katika Mamlaka za serkali za Mitaa wanashirikishwa na kupewa taarifa za usimamizi wa Uvuvi kwa kuzingatia Sheria hii na Sheria nyingine zinazohusiana na usimamizi wa Uvuvi.		

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	fisheries.  (2) Where there is any conflict between the local authority management plan and other local authority applicable to a water body, the Director and other relevant officers and members of the local authority shall consult together and use their best endeavors to reconcile any such variances.  Management authorities	end of the word "variances".  (2) Sub section is amended by deleting the word "aquaculture development" appearing immediately after the word "for responsible fisheries" and after the word "fishing operations"  (3)(a) Retained	Variances has to come to an end  To separate aquaculture from Capture fisheries issues	(2) Iwapo kutajitokeza mgongano wa mpango wa usimamizi wa Mamlaka za Serikali za Mitaa dhidi ya Mamlaka nyingine katika usimamizi wa maji/Uvuvi, Mkurugenzi na Mamlaka za Serikali za mitaa watafanya mashauriano ili kuondoa tofauti zilizosababisha mgongano.  (3) Iwapo Mkurugenzi ataona uwajibikaji usioridhisha kutokana na maoni au taarifa alizopata kutoka kwa Afisa anayesimamia Sheria hii, au kutoka mamlaka ya Serikali za Mitaa yenye jukumu la		
	(3) Where the Director is of the opinion on the basis of information given to him by any officer exercising functions	(3)(b) Retained		usimamizi, mwongozo wa Uvuvi unaozingatia uhifadhi, utendaji katika shughuli za usimamizi, matumizi na Masoko Mkurugenzi anaweza		

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	under this Act or otherwise that a local authority with the responsibility to exercise functions in accordance with the provisions of this Act, Code of Conduct for responsible fisheries, aqua culture development, fishing operations, fisheries management, fish utilization and Marketing has mismanaged the functions of this Act, the Director may-	(3)(c) Sub section amended to read:- in either case referred to in paragraph (a) or (b), upon receiving a notice the Local		kufanya yafuatayo; (a) Kutoa notisi kwa Mamlaka ya Serikali za Mitaa kuchukua hatua muhimu ili kuboresha usimamizi,  (b) Kutoa notisi kwa mamlaka ya Serikali za Mitaa kubaini sababu za hali hii na iwapo itashindwa Mkurugenzi atakabidhi jukumu la usimamizi kwa Mamlaka nyingine, au Kurugenzi ya Uvuvi kwa muda kama itakavyoanishwa katika taarifa hiyo		
	(a) serve a notice on that local authority requiring it to take the steps specified in that notice within the time specified therein to rectify and improve its fisheries management; or	authority may appear before the Director for the purpose of making representation to defend on intention of the Director as specified in the	(3)(c) Right to be	(c) Masharti katika mojawapo maelekezo ya kifungu kidogo (a) au (b), Mamlaka ya Serikali za Mitaa iliyopewa notisi inaweza kufika kwa Mkurugenzi ili kujitetea kuzingatia muda ulioamliwa, d) Iwapo Mamlaka ya		

Title The Fisheries No. 22 of (Current Act)	S Act Proposed 2003 Amendments	Reasons Amendments	for	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
appear before	thority of show ne time ein, as Director marrange ions of gement recified amended to reconsidering report from Director refusions as may in the Director refusion to that thority, a such atthority is functions for the making in the public interpolation (3) Retain (	act is ad:  (5)Proper address the after the erred h (d) (3) is that, the ent, local my of is in to is in terest	(	Serikali ya Mtaa imeshindwa kutekeleza masharti ya e) (b) Mkurugenzi atawasilisha kwa Waziri taarifa yenye mapendekezo ya hatua stahiki za kuchukua.  (4) Waziri baada ya kupokea taarifa kutoka kwa Mkurugenzi kama ilivyo katika masharti ya kifungu 3(d) atasitisha usimamizi wake na itasimamiwa na Mkurugenzi.	(3) (c)Kifungu hiki kimerekebishwa kisomeke: kwa masuala yaliyo hainishwa katika kifungu (a) na (b) mara baada ya afisa kutoka mamlaka ya serikali za mitaa kupokea notisi atafika kwa mkurugenzi kwa lengo la kuwasilisha utetezi kwa suala linalohusika	

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	(d) if in his opinion, the local authority has failed to show cause as required under paragraph (b) above, prepare and submit a report with recommendations to the Minister on the mismanagement of fisheries functions by such local authority and what action should be taken thereon.  (4) Where the Minister after considering the report from the Director referred to in paragraph (d) of subsection (3) is satisfied that, owing to the mismanagement, by any local authority of any of its functions in	authority shall cease to exercise all or any management functions in relations to fisheries, the Minister shall order management of such fisheries resources be under the control of central governement for such period that such a local authority prove that they able to manage that resources.		(5) Waziri mwenye dhamana	Sheria hii inarekebishwa isomeke kama ifuatavyo:	

	Mabadili ko
authority shall, if he is satisfied that there is the mismanagement by the local authority of itawajibika kutekeza majukumu ya usimamizi katika kifungu (5) kwa kifungu kidogo niaba na kwa manufaa iwapo atarid	rifa kwa ama tika B(d) nika una wa

The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
Local Government (District Authorities) Act, 1982 and section 71 of the Local Government (Urban Authorities) Act, 1982 and direct the Director or another local authority to take over the functions of such local authority as may be specified.	(5) Sub section is "deleted"		ya kutoa gharama za usimamizi. (7) Mamlaka ya Serkali za Mitaa inayotajwa katika kifungu hiki inahusisha pia halmashauri ya Kijiji.	za imeshindwa kutekeleza majukumu ya usimamizi wa shughuli za uvuvi ipasavyo. Waziri ataelekeza majukumu ya usimamizi wa rasilimali hizo kuwa	
(6) The other local authority or the Director shall exercise any functions in relation to the management of fisheries which it or he is directed to manage under the provisions of subsection (5) on behalf of and for the benefit of the people within the jurisdiction	(6) Sub section			kwa kipindi atakachoona inafaa hadi waziri atakapojiridhisha kwamba halmashauri hiyo ina uwezo wa kusimamia rasilimali hizo.  (7) Kifungu hiki kimerekebishwa kwa kuongeza	
	No. 22 of (Current Act)  Local Government (District Authorities) Act, 1982 and section 71 of the Local Government (Urban Authorities) Act, 1982 and direct the Director or another local authority to take over the functions of such local authority as may be specified.  (6) The other local authority or the Director shall exercise any functions in relation to the management of fisheries which it or he is directed to manage under the provisions of subsection (5) on behalf of and for the	No. 22 of 2003 (Current Act)  Local Government (District Authorities) Act, 1982 and section 71 of the Local Government (Urban Authorities) Act, 1982 and direct the Director or another local authority to take over the functions of such local authority as may be specified.  (6) The other local authority or the Director shall exercise any functions in relation to the management of fisheries which it or he is directed to manage under the provisions of subsection (5) on behalf of and for the benefit of the people within the jurisdiction  (6) Sub section (6) Sub section	No. 22 of 2003 (Current Act)  Local Government (District Authorities) Act, 1982 and section 71 of the Local Government (Urban Authorities) Act, 1982 and direct the Director or another local authority to take over the functions of such local authority as may be specified.  (6) The other local authority as may be specified.  (6) The other local authority or the Director shall exercise any functions in relation to the management of fisheries which it or he is directed to manage under the provisions of subsection (5) on behalf of and for the benefit of the people within the jurisdiction  Amendments  (5) Sub section is "deleted"	No. 22 of 2003 (Current Act)  Local Government (District Authorities) Act, 1982 and section 71 of the Local Government (Urban Authorities) Act, 1982 and direct the Director or another local authority to take over the functions of such local authority as may be specified.  (6) The other local authority or the Director shall exercise any functions in relation to the management of fisheries which it or he is directed to manage under the provisions of subsection (5) on behalf of and for the benefit of the people within the jurisdiction (6) Sub section	No. 22 of (Current Act)   Amendments   Amendments   (Kiswahili)   Amendments(Kiswahili)

Title	The Fisheries Act No. 22 of 2003 (Current Act)	Proposed Amendments	Reasons for Amendments	Translated Fisheries Act (Kiswahili)	Proposed Amendments(Kisw ahili)	Sababu za Mabadili ko
	authority whose functions have been take over and the net profits of management, if any, shall, after deduction of the costs of management and development, be deemed to be part of the revenue of the first local authority; which shall likewise bear any losses incurred.  (7) For the purposes of this section, a local authority shall include a village council.				mamlaka hazikufikia muafaka wa suluhisho maamuzi ya waziri yatakuwa ya mwisho. Maamuzi hayo yatazingatia mapendekezo kutoka mamlaka ya serikali za mitaa.	
		PART ELOPMENT OF TH MAENDELEO YA T	E FISHING INDUST	RY		

	T				
Developm	9(1) The Director shall, in			9(1)Mkurugenzi kwa	
ent	co-operation with other	9(1)(a)		kushirikiana na	
and	appropriate	Retained	To have a	mashirika yasiyo ya	
sustainabl	agencies and divisions or		standalone	kiserikali na taasisi za	
e	departments of the		Act on	serikali atahamasisha	
use	Government, promote,		Capture	na kusaidia mipango	
of aquatic	encourage and support all	9(1)(b)	fisheries only	ya maendeleo na	
resources	initiatives leading to the	Retained		matumizi endelevu ya	
	development and		To have a	samaki waliopo na	
	sustainable use of the fish		stand alone	rasilimali zingine za	
	stock and aquatic resources		Act on	kwenye maji kwa	
	through such		Capture	kuchukua hatua	
	measures as:		fisheries only	zifuatazo	
		9(1)(c)	mfumo wa		
		Amended by	ikolojia		9 (1)(c)
		deleting the	uadilifu,		Marekebisho
		word	kulingana na		yamefanyika
		"Aquaculture	bora		kwa kufuta
		development	inapatikana		neno
	(a)Provision of investment	and"	kisayansi	a) Kutoa miongozo ya	"Maendeleo ya
	guidelines in the fisheries		habari na	uwekezaji katika	Ukuzaji
	sector;		kupitia	Sekta ya Uvuvi;	viumbe
		9(1)(d)	maendeleo ya		kwenye maji'
		Amended by	muda mfupi,		(1)(d)
		deleting the	wa kati na		Marekebisho
		sentence "semi-	muda mrefu	b) Uwezeshaji wa	kwa kufutwa
	(b) facilitation of	intensive aqua	uvuvi utafiti	maendeleo na	sentensi
	development and	culture with	wa kisayansi	kudumisha uvuvi na	'Ufugaji wa
	maintenance of fisheries	simple	mipango;	miundombinu yake;	kati kwa
	and	technologies			kutumia
	related infrastructure	and low		c) Kutoa miongozo ya	teknolojia
		capital	9(1)(e -k ),	tendaji kwa ajili ya	rahisi na mtaji

(c)provisions of the establishment of a code of		9(2)(a – Inabaki	ukuzaji viumbe kwenye maji na	mdogo wa uwekezaji kwa	
practice for	pre-evaluation	kama ilivyo	uchakataji wa	kufanya	
aqua culture development			samaki	tathmini ya	
and fish processing;	of aquaculture		1) 17 1	madhara	
	on genetic		d) Kuwawezesha	yatokanayo na	
(4) 6-114-41	diversity		wavuvi wadogo na	ufugaji wa	
(d) facilitating artisanal	•		wafugaji wa kati	samaki kwenye	
fishing, semi-intensive aqua culture with	integrity"		kutumia teknolojia rahisi na mitaji	bioanuai za kijenetiki na	
simple technologies and			midogo kwa	kijenetiki na mfumo wa	
low capital investment			kufanya tathmini ya	ikolojia wa	
including			madhara	ikolojia	
pre-evaluation of the effects			yatokanayo na		
of aquaculture on genetic			ufugaji wa samaki		
diversity			kwenye bioanuai za		
and ecosystem integrity,			kijenetiki na		
based on the best available			mfumo wa ikolojia		
scientific			kwa kutegemeana		
information and through			na taarifa za		
development of short,	9(1)(e -k),		kisayansi zilizopo		
medium and	9(2)(a -		lakini pia kutokana		
long term fisheries	g)Retained		na mipango ya		
scientific research Plans;			maendeleo ya muda		
			mfupi, wa kati na		
			muda mrefu wa		
			tafiti za kisayansi.		
(a) manastica of constant			e) Kukuza matumizi		
(e)promotion of sound			endelevu ya uwezo		
utilization of the ecological			chacieva ya awezo		

agnosity of	wa ilalaila iliaana	
capacity of	wa ikolojia iliyopo	
water based areas, as a	kulingana na eneo	
means of generating income	la maji kama njia ya	
and food;	kuongeza kipato na	
	chakula.	
	f) Kuhamasisha	
(f) encouraging the	ushirikishwaji wa	
involvement of stakeholders	wadau katika	
in the planning,	upangaji,	
development and	maendeleo na	
management of fishery	usimamizi wa	
_	rasilimali za uvuvi;	
resources;	rasininan za uvuvi;	
(g)improving fisheries	g) kuboresha mfumo	
statistical data collection	wa ukusanyaji na	
and processing	uchakataji wa	
through assessment of the	takwimu za uvuvi	
adequacy of the existing	kwa kufanya	
data collection;	tathmini ya mfumo	
data conection,	· · · · · · · · · · · · · · · · · · ·	
	wa ukusanyaji wa	
	takwimu uliopo	
	kama unakidhi	
	mahitaji.	
	h) kuwezesha	
(h) facilitating the	upatikanaji,ubadilis	
availability, accessibility	hanaji na utunzaji	
exchange of fisheries	wa taarifa za uvuvi	
information and storage		
	i) kuwezesha jitihada	
(i) facilitating initiatives	zinazolenga katika	
geared towards availability	upatikanaji wa zana	

of fisheries	za uvuvi;	
	Za uvuvi,	
inputs;		
(j) pursuing continuation		
and introduction of fisheries	i) Kuendeleza na	
integrated	kuanzisha progr	ramii
_	shirikishi za uvi	
1 6		
management of coastal	katika Ukanda y	
zone to meet the	Pwani kwa ajili	ya
ecological and social	usimaimizi	
economic needs of the	madhubuti	
present and future	unaokidhimahit	aji
generation; and	ya kiikolojia na	
	uchumi wa jami	
	kwa kizazi cha	
	na kizazi kijach	
	na kizazi kijacii	0.
	k) Kuimarisha	
(k) strengthening of	mashirikiano ya	
regional and international	Kikanda na	
collaboration in the	Kikanda na Kimataifa katik	
sustainable utilization,	matumizi endel	evu,

management and conservation of resources in shared water bodies by:	usimamizi na uhifadhi wa rasilimali katika maji yanayomilikiwa kwa pamoja.
i. Supporting responsible fishery practices within the country;	
(ii) Cooperation in the promotion of suitable fisheries practices;  (iii) ensuring responsible choice of species, sites and management of fisheries which could affect trans-boundary aquatic ecosystems;	i. Kuwezesha usimamizi endelevu wa rasilimali za uvuvi kwa kuzingatia sheria za nchi; ii.Ushirikiano katika kuhamasisha uvuvi endelevu.
	(iii).kuhakikisha uwajibikaji katika kuanisha aina za samaki na maeneo

(iv) consulting with neighbouring states before introducing non-indigenous species into trans-boundary aquatic ecosystems;	ya usimamizi wa uvuvi ambao unaweza kuathiri mifumo ya ikolojia iliyopo ndani ya maji yanayomilikiwa kwa pamoja.
(v) establishing database and information networks to collect and disseminate data related to fisheries activities to facilitate cooperation on planning for fisheries development at national, sub-regional,	(iv)kushauriana na mataifa jirani kabla ya kupandikiza aina ya viumbe visivyo vya asili katika ikolojia za kwenye maji yanayomilikiwa kwa pamoja
(vi) monitoring the impact of inputs used in fisheries: and	(v)kuanzisha mfumo wa kanzidata na mtandao wa ukusanyaji na usambazaji wa takwimu zinazohusiana na shughuli za uvuvi katika kuwezesha mashirikiano katika mipango ya
(vii) Discouraging the	maendeleo ya uvuvi katika ngazi za

pollution of aquatic environment.	Kikanda, Kitaifa na Kimataifa  (vi) ufuatiliaji wa madhara yatokanayo na matumizi ya zana za uvuvi: na  (vii)Kuzuia uchafuzi wa mazingira ya kwenye maji.
(2)The Director shall, based on the best scientific evidence available, adopt such appropriate measures to maintain or restore stocks at levels capable of producing maximum sustainable yield pursuant to relevant environmental and economic factors including:  (a)avoidance, of excessive fishing capacity and overexploitation of the stocks in order to maintain an economically	(2) Kwa kuzingatia ushahidi wa kisayansi uliopo Mkurugenzi atachukua hatua stahiki za kutunza na kurejesha rasilimali za uvuvi katika kiwango kitakachowezesha kuwa na uvuvi endelevu kwa kuzingatia masuala ya kiuchumi na kimazingira ikiwa ni pamoja na :

available	kuongezeka kwa	
fishery;	nguvu ya uvuvi	
	inayozidi uwezo	
	wa rasilimali na	
	uvunaji kupita	
	kiasi ili	
	kudumisha uvuvi	
	wenye manufaa	
	kiuchumi.	
	Kidelidiii.	
	(b) Kukuza uvuvi	
(b)promotion of responsible	unaozingatia	
fisheries and the economic	sheria na	
conditions	mashartiya	
under which fishing	kiuchumi katika	
industries operate;	tasnia ya uvuvi;	
madatres operate,	tusina ya a va vi,	
(c) taking into account the	(c) Kuzingatia	
interest of local fishers such	maslahi ya	
as those	wavuvi wa eneo	
engaged in artisanal	husika na hasa	
fisheries;	wavuvi wadogo.	
	(d) Uhifadhi na ulinzi	
(d)conservation and	wa bioanuwai	
protection of biodiversity of	maeneo ya	
aquatic habitats,	kwenye maji	
ecosystems and endangered	ekolojia na	
species;	viumbe vilivyo	
~F ,	katika hatari ya	
	kutoweka	
	Rutoword	

		(e) Urejeshaji wa rasilimali zilizo hatarini kutoweka	
(e) restoration of depleted sto	<u> </u>	(f) Kufanya tathmini ya madhara kwa mazingira na hatua za kurejesha rasilimali na	
(f)Assessment environmental remedial measures on and  (g) Minim pollution, was	impacts and the resource; ization of ste, discards,	(g) Kupunguza uchafuzi,taka, upotevu wa samaki unaotokana na zana za uvuvi zilizopotea kwenye maji, uvunaji wa samaki wasiolengwa kwa	
catch by lost of abandoned genon target fis and impacts on associated species the development and use of environmental cost effective	ear, catch of h or species or dependent rough the f selective,	wasiolengwa kwa kutumia zana na mbinu za uvuvi zinazolenga aina za samaki na rafiki kwa mazingira na zenye gharama nafuu.	

fishing gear and techniques.			
	This section is	Kifungu	
	modified by	kimeboreshwa kwa	
	adding a	kuongeza kifungu cha	
	section 9(3) to	9.3 na kusomeka::-	
	read as:	9(3) Mkurugenzi	
	9(3) The	atasimamia	
	Director shall	yafuatayo:-	
	regulate the		
	following		
	areas:-		
	(a) Introduction	a) Uingizaji wa aina	
	of exotic	mpya za samaki	
	species into	kwenye maji ya	
	natural water	asili	
	bodies		
	(b) Control of	b) Kudhibiti vimelea	
	aquatic	na magonjwa ya	
	organisms	ufugaji kwenye maji.	
	diseases and	(c) tafiti za kisayansi	
	parasites	na maendeleo ya	
	(c)Scientific	sekta.	
	researches and	d) Kwa kushirikiana	
	development	na mamlaka zingine	
	(d)in	husika atasimamia	
	consultation	teknolojia za uvuvi	
	with relevant authorities	zitakazoanzishwa	
		katika maji yaa sili	
	moderate all		
	emerging		
	technologies		

		introduced into				
		natural water				
		bodies		e)Mkurugenzi kwa		
		(e) the Director		kushirikina ana		
		in collaboration		mamlaka nyingine		
		with relevant		husika ataweka		
		government		mfumo wa kupima na		
		authorities		kutathmini madhara		
				ya samaki		
		"establish a bench mark for		wanaotokana na viini		
				tete katika uvuvi wa		
		assessing				
		impact of		asili		
		modified				
		species to				
		capture				
		fisheries.				
	NAANIA CENAENTE AND CA	PART V	FIGURAC INDI	ICTDX		
	MANAGEMENT AND CONTROL OF THE FISHING INDUSTRY					
SEHEMU YA V USIMAMIZI NA UDHIBITI WA TASNIA YA UVUVI						
3.6			NIA YA UVUV		D'1 1 11 1	
Managem	17. The Minister shall by	Without		17. Waziri atatoa	Bila kuathiri	
ent	notice published in the	prejudice of		taarifa kwa kutangaza	utoaji wowote	
and	Gazette impose	any provision,		kwenye Gazeti la	wa huduma na	
control	conditions that are	the Director		Serikali kwa kuweka	kifungu	
measures	necessary for the proper	shall have the		masharti muhimu	chochote ,	
	management of fisheries	following		kwa ajili ya	Mkurugenzi	
	which are:-	powers;		usimamizi sahihi wa	atakuwa na	
		a) To register		uvuvi nchini ambayo	mamlaka	
	(a) restricting the entry of	and license		ni:	zifuatazo;	
	foreign fishing vessels in	fishing vessels.		a) kuzuia kuingizwa	a)Kusajili na	
	territorial	b) Issuing		kwa vyombo vya	kutoa leseni	
	waters;	fishers' fishing		uvuvi vya kigeni	kwa vyombo	
	(b) requiring all fishing	licence.		katika eneo la	vya uvuvi;	

vessels to be registered;	c) Control the	maji ya kitaifa;	b) kutoa leseni
(c) requiring all fishing	number, size,		za uvuvi kwa
vessels to be licensed;	type, gears and		wavuvi;
(d) requiring all fishers to	age of fishing		c) Kudhibiti
be licensed;	vessels.		idadi, ukubwa,
(e) restricting the number,	d) imposing	b) kuhitaji vyombo	aina, zana na
size, and age of fishing	closed season	vyote vya uvuvi	umri wa
vessels in any	for designated	kusajiliwa	vyombo vya
fishery;	areas, species	c) kuhitaji vyombo	
(f) prohibiting the use of		vyote vya uvuvi	d) kuweka
certain types of fishing	methods of	kuwa na leseni;	msimu wa
vessels and gears;	fishing.		kufungwa kwa
(g) imposing closed season		d) kuhitaji wavuvi	maeneo
for designated areas,	e)Regulating	wote kuwa na leseni	yaliyochaguliw
species of fish and	the landing of		a, aina ya
methods of fishing;	fish and	e) kuzuia idadi,	samaki na
	providing for	ukubwa, na umri wa	njia za uvuvi
	management of	vyombo vya uvuvi	
(h) prohibiting fishing in	fish landing	kwenye uvuvi	e)Kudhibiti
designated areas;(	stations	wowote;	mialo ya
Declaration of			kupokelea
designated areas)	f)Monitoring	f) kuzuia matumizi ya	
(i) limiting the amount,	and controlling	aina fulani za	kusimamia
size, age and other	the capacity of	vyombo vya uvuvi na	vituo vya
characteristics and	fishing fleets to	zana;	kupokelea
monitoring species		g) kuweka msimu wa	
composition of fish that	Fishing effort.	kufungwa uvuvi kwa	
may be caught,		maeneo	kudhibiti
(j) regulating the landing of	0	yaliyochaguliwa, aina	uwezo wa meli
fish and providing for	the	ya samaki na	za uvuvi ili
management of	performance of	njia za uvuvi ;	kuepuka kupita
fish landing stations;	the existing		kiasi
(k) controlling the	fishing gear,		nguvu ya uvuvi

importation of fish and fishery products or the introduction of exotic species; (I) monitoring the capacity of fishing fleets to avoid excessive fishing mechanism that will reduce excessive fishing capacity to levels commensurate with the sustainable use of mechanism that will reduce and substituting and substituting and fishery products or the and substituting and substituting for them those which are consistent with responsible fishing i) kupunguza zile ambao haziko sawa na uvuvi, na kuziondoa zile ambao haziko sawa na uvuvi unaokubalika;  h) kuzuia uvuvi katika maeneo tengefu mbinu na zana zilizopo za uvuvi, na kuziondoa zile ambao haziko sawa na uvuvi unaokubalika;  ii) kupunguza zile ambao haziko sawa na uvuvi unaokubalika;  and substituting tengefu mbinu na zana zilizopo za uvuvi, na kuziondoa zile ambao haziko sawa na unaokubalika;  iii) kupunguza vite ambao haziko sawa na unaokubalika;  and substituting tengefu mbinu na zana zilizopo za uvuvi, na kuziondoa zile ambao haziko sawa na unaokubalika;  iii) kupunguza vitengo vya uvuvi, na kuziondoa zile ambao haziko sawa na unaokubalika;  iii wa maeneo tengefu mbinu na zana zilizopo za uvuvi, na kuziondoa zile ambao haziko sawa na unaokubalika;  iii wa maeneo tengefu mbinu na zana zilizopo za uvuvi, na kuziondoa zile ambao haziko sawa na unaokubalika;  iii wa maeneo tengefu
introduction of exotic species; (I) monitoring the capacity of fishing fleets to avoid excessive fishing mechanism that will reduce excessive fishing capacity to levels commensurate with the introduction of exotic species; (I) monitoring the capacity which are consistent with responsible fishing the capacity to levels commensurate with the introduction of them those which are consistent with responsible in tengefu meinum a zana zilizopo za uvuvi, na kuziondoa zile ambao kiwango, ukubwa, haziko sawa na uvuvi unaokubalika;  i) kupunguza kiwango, ukubwa, haziko sawa na uvuvi unaokubalika;  umri na sifa nyingine na uvuvi unaokubalika;  aina ya ufuatiliaji wa samaki ambayo inaweza kuvuliwa, kuundwa kwa
species; (I) monitoring the capacity of fishing fleets to avoid excessive fishing mechanism that will reduce excessive fishing capacity to levels commensurate with the inits and inaweza kuvuliwa, inakuziondoa zile ambao kiwango, ukubwa, haziko sawa na unaokubalika; zile ambao haziko sawa na unaokubalika; zile ambao haziko sawa na unaokubalika; inaweza kuvuliwa, kuundwa kwa
(I) monitoring the capacity of fishing fleets to avoid excessive fishing pressure(effort); (m) establishing a mechanism that will reduce excessive fishing capacity to levels commensurate with the consistent with responsible to avoid excessive fishing i) kupunguza kiwango, ukubwa, kiwango, ukubwa, haziko sawa na umri na sifa nyingine na unaokubalika; umri na sifa nyingine na unaokubalika; unaokubalika; aina ya ufuatiliaji wa samaki ambayo h) kuwezesha kuundwa kwa
of fishing fleets to avoid excessive fishing responsible fishing pressure(effort); (m) establishing a mechanism that will reduce excessive fishing capacity to levels commensurate with the responsible fishing i) kupunguza zile ambao haziko sawa na umri na sifa nyingine na uvuvi unaokubalika; aina ya ufuatiliaji wa samaki ambayo h) kuwezesha inaweza kuvuliwa, kuundwa kwa
excessive fishing pressure(effort); (m) establishing a mechanism that will reduce excessive fishing capacity to levels commensurate with the inits and inaweza kuvuliwa, in kupunguza kiwango, ukubwa, haziko sawa na umri na sifa nyingine umri na sifa nyingine na uvuvi unaokubalika;  i) kupunguza kiwango, ukubwa, haziko sawa na uvuvi unaokubalika;  aina ya ufuatiliaji wa samaki ambayo h) kuwezesha inaweza kuvuliwa, kuundwa kwa
fishing pressure(effort); (m) establishing a mechanism that will reduce excessive fishing capacity to levels commensurate with the units and final mechanism that will reduce excessive fishing capacity to levels commensurate with the line wi
(m) establishing a mechanism that will reduce excessive fishing capacity to levels commensurate with the units and h)facilitating theformation of theformation of the formation
mechanism that will reduce excessive fishing capacity to levels commensurate with the units and management units and na aina ya ufuatiliaji wa samaki ambayo h) kuwezesha kuundwa kwa
excessive fishing community capacity to levels management commensurate with the units and community management inaweza kuvuliwa, and community samaki ambayo h) kuwezesha kuundwa kwa
capacity to levels management samaki ambayo h) kuwezesha commensurate with the units and inaweza kuvuliwa, kuundwa kwa
commensurate with the units and inaweza kuvuliwa, kuundwa kwa
custoinable use of cuthorized vitage vitage vitage
fisheries resources; associations for usimamizi wa
(n) examining the the purpose of jamii na
performance of the existing protecting and j) kusimamia vyama vya
fishing gear, methods conserving upokeaji wa samaki mamlaka kwa
and substituting for them fishery mialoni na lengo la
those which are consistent resources; kusimamia mialo ya kulinda na
with kupokelea samaki; kuhifadhi
responsible fishing; i)Licensing k) kudhibiti uingizaji rasilimali za
sport fishers.   wa samaki na mazao   uvuvi;
yake na samaki wasio   i) kutoa leseni
(o) regulating fishing in wa asili. kwa wavuvi
such a way as to avoid the 1) kufuatilia uwezo wa burudani;
risk of conflict wa uvuvi wa meli ili
among fishers using kuepuka kupita kiasi
different vessels, gear and cha
fishing methods; shinikizo la uvuvi
(p) ensuring that traditional (fishing effort)
practices, which are
consistent with m) kuanzisha

responsible fisheries, needs	utaratibu ambao
and interests of indigenous	utapunguza nguvu ya
people	uvuvi inayopita
and local fishing	uwezo wa rasilimali
communities which are	ili kuwa na uvuvi
highly dependent of	endelevu;
fisheries resources for their	
livelihood are given due	n) kuchunguza
regard;	utendaji wa mbinu na
	zana zilizopo za
	uvuvi,
(q) establishing effective	na kuziondoa zile
mechanism for fisheries	ambao haziko sawa
monitoring,	na
surveillance control and	uvuvi unaokubalika;
enforcement, to ensure	
compliance with	
conservation and	
management measure as	
well as those adopted	
by regional or sub regional	
organizations or	
arrangements;	o) kusimamia uvuvi
(r) conducting joint	kwa namna ambayo
surveillance, and	itaepusha migogoro
enforcement in	kati ya wavuvi
collaboration	wanaotumia vyombo,
with other related agencies	mbinu na njia tofauti
and fisher communities to	za uvuvi
ensure	p) kuhakikisha
effective implementation of	kwamba uvuvi wa
this Act;	asili , ambao
(s) facilitating the formation	unazingatia uvuvi

	1		1	
of community management		uendelevu na maslahi		
units and		ya wazawa na		
authorized associations for		maslahi ya		
the purpose of protecting		jamii za uvuvi		
and		zinazotegemea		
conserving fishery		rasilimali za uvuvi		
resources;		kwa ajili ya maisha		
(t) requiring all sport fishers		yao zinangatiwa;		
to be licensed; and				
(u) regulate transshipment				
of fish or fish products to				
ensure				
compliance with all				
conservation and fishery				
management measures.				
88				
		q) kuanzisha		
		utaratibu madhubuti		
		wa ufuatiliaji,		
		udhibiti na		
		utekelezaji, ili		
		kuhakikisha kuwepo		
		uhifadhi na		
		usimamizi wa		
		rasilimali pamoja na		
		ule unaokidhi		
		masharti ya uhifadhi		
		•		
		ya mashirika au		
		mipango ya kikanda.		1

		r) kufanya ufuatiliaji wa pamoja, na utekelezaji kwa kushirikiana na mashirika mengine na jamii za uvuvi ili kuhakikisha utekelezaji wa Sheria hii;	
		s) kuwezesha uundwaji wa vikundi vya jamii vya usimamizi na jumuiya zinazotambulika kwa lengo la kulinda na kuhifadhi rasilimali za uvuvi;	
		t) wavuvi wote wa	
		uvuvi wa burudani	

	T		1	1	<u> </u>
				kuwa na leseni;	
				u) kudhibiti uhaulishaji wa samaki na mazao ya samaki kuhakikisha kufuata hatua zote za uhifadhi na uvuvi	
Beach	18(1) The Director may	18 Retained	18. (1)	Imebakizwa	
Managem	enter into a management		Mkurugenzi		
ent	agreement with		anaweza		
Units	beach management units of		kuingia		
	the whole or part of or some		mkataba wa		
	specific		usimamizi na		
	fishery matter or activity		vikundi vya		
	within any water body or		usimamizi wa		
	with any one or		rasilimali kwa		
	more local authorities		ujumla au		
	having jurisdiction within		kwa		
	the vicinity of any		sehemu		
	water body and deriving the		maalum .		
	whole or a part of their		ya uvuvi au		
	livelihood from that water		shughuli ya		
	body.		uvuvi au na		
			mamlaka		
			moja au zaidi ya serikali za		
			mitaa yenye		
	(2) A management		mamlaka		
	agreement shall include the		ndani ya maji		
	following-		yoyote.		
	(a) statement of objectives				

	T	T	
of the agreement;			
(b) description of the area			
covered by the agreement;			
(c) description of the			
management activities to be	(2)(a)		
undertaken;	Mkataba wa		
(d) rules governing the use	usimamizi		
of and access to other	utajumuisha		
fishers;	yafuatayo-		
(e) duration of the	(a) Tamko la		
agreement;	madhumuni		
	ya		
	makubaliano		
(f) provision for revision of	(b) maelezo		
the agreement; and	ya eneo la		
	makubaliano		
(g) provision for settlement	(c) maelezo		
of disagreement.	ya shughuli za		
	usimamizi		
	zitazofanyika		
	(d) taratibu		
	zinazosimami		
	a matumizi na		
	haki ya		
	wavuvi		
	wengine		
	(e) muda wa		
	makubaliano;		
	(f) Vifungu		
	vinavyohusu		
	marekebisho		
	ya mkataba;		

			na		
			(g) Vifungu vya kutatua migogoro		
Prohibitio n of foreign fishing in territorial water	19. No foreign fishing vessel shall be licensed to fish in the territorial waters.	19. Retained	19. Hakuna chombo cha uvuvi cha kigeni kitapewa leseni ya kuvua samaki katika Maji ya kitaifa.	Imebakizwa	
Licensing of foreigners	20(1) Notwithstanding the provisions of section 19, the Director or any authorized officer shall for purposes of scientific research, complementary's educational and food supply with the consent in writing of the Minister, grant any fishing licence or to fish authority, as the case may be, to any person who is not a citizen of the United Republic, or, in the case of a body	20. Retained	20 (1) Bila kuathiri masharti ya kifungu cha 19, Mkurugenzi au afisa aliyeidhinish wa ataruhusiwa kutoa leseni; kwa ajili ya utafiti wa kisayansi, elimu na upatikanaji	Imebakizwa	

	corporate, to any body		wa chakula	 	
	corporate which is not		kwa mtu asiye		
	incorporated by or under		raia wa		
	any written law.		Jamhuri ya		
	(2) in case of a fishing		Muungano,		
	vessel flying a foreign flag,		au,		
	such vessel shall		itakavyokuwa		
	not change her foreign flag		kwa kampuni		
	unless the Registrar of		ambayo		
	Ships has consulted the		haijaandikish		
	Director on the same.		wa nchini		
			au chini ya		
			sheria yoyote		
			iliyopo nchini		
			kwa ridhaa ya		
			maandishi		
			kutoka kwa		
			Waziri.		
			(2) kwa		
			chombo cha		
			uvuvi		
			kinachopeper		
			usha bendera		
			ya kigeni,		
			chombo hicho		
			hakitabadilish		
1		I			i l

			a bendera yake isipokuwa Msajili wa Meli ameshauriana na Mkurugenzi kuhusu suala			
C vici v	21 16 4 15	21 D.4.1	hilo.	C .:C .	01 IC 4	21 D.4.1. 1
Certificate of	21. If the Director has	21. Retained	21. Ikiwa	Certificate of	21. If the Director has	21. Retained
Registry	reason to believe that, any fishing vessel is of		Mkurugenzi ana sababu ya	Registry	Director has reason to	
Registry	mechanical or physical		kuamini	Registry	believe that,	
	dimensions, which are		kwamba,		any fishing	
	contrary to		chombo		vessel is of	
	regulations made under this		chochote cha		mechanical or	
	Act, he shall-seek opinion		uvuvi kina		physical	
	from the		vipimo au		dimensions,	
	Registrar of Ships or any		mitambo		which are	
	other institutions with		ambayo ni		contrary to	
	similar functions.		kinyume na		regulations	
	Toniono.		kanuni		made under	
			zilizofanywa		this Act, he	
			chini ya		shall-seek	
			Sheria hii,		opinion from	
			atatafuta		the	
			maoni kutoka		Registrar of	
			kwa		Ships or any	
			Msajili wa		other	
			Meli au		institutions	
			taasisi		with similar	
			nyingine		functions.	

	<u></u>		<u> </u>	1	
			zenye		
			majukumu		
			sawia.		
Prohibitio	22(1) No person shall	22. Retained	22 (1) Ni		
n	engage in-		marufuku kwa		
of	(a) fishing;		mtu yeyote;		
certain	(b)collecting, gathering,		(a)kuvua		
activities	processing or		(b)kukusanya,		
without	manufacturing fish products		kusindika au		
licence	or products of aquatic flora;		kuchakata		
	(c) selling or marketing of		mazao ya		
	fish, fish products, aquatic		samaki		
	flora or		au mazao ya		
	products of aquatic flora;		mimea ya		
			kwenye maji		
			(c) kuuza au		
			uuzaji wa		
	(d) importing or exporting		samaki,		
	of fish, fish products,		mazao ya		
	aquatic flora or products of		samaki,		
	aquatic flora, unless he		mimea ya		
	applies for and is granted		kwenye maji		
	by the Director or any other		au Mazao ya		
	authorized officer a licence		mimea ya		
	in respect of such activity.		kwenye maji;		
			(d) kuingiza		
			kutoka nje ya		
			nchi, au		
	(2) Notwithstanding the		kusafirisha		
	provisions of subsection		samaki,mazao		
	(1), no licence or		ya samaki,		

				•
permit or permission		mimea au		
be required for fis	hing by	Mazao ya		
means of any of		mimea ya		
the following meth		kwenye maji,		
fishing for prawn		isipokuwa		
cloth - KU	ΓANDA	ameomba na		
UDUVI;		amepewa na		
(b) using rod and	line or	Mkurugenzi		
hand line from the	e beach	au afisa		
without using a		aliyeidhinish		
fishing vessel whe	ther for	wa kutoa		
sport fishing, of	lomestic	leseni		
consumption		kuhusiana na		
or sale, except in a	declared	shughuli hiyo.		
trout stream or s	pawning			
ground; and		(2) Bila		
		kuathiri		
(c) small cast nets		masharti ya		
		kifungu		
		kidogo cha		
		(1), leseni ya		
(3) For the purpose	s of this	Uvuvi		
section, licences for	internal	haitahijika		
fish trade		kwa aina		
shall be issued	by the	zifuatazo za		
relevant authoriti	ies in	uvuvi;		
charge of internal tra	ade.	(a) uvuvi wa		
		kambamiti		
(4) The Minister m	ay by a	kwa kutumia		
notice published		kitambaa -		
Gazette, restrict Fish	1	KUTANDA		
Establishment owner	ers from	UDUVI;		
carrying out fish	ning in			

· C' 1 4 1 1'		1	<u> </u>	
specified water bodies.				
		(b) kutumia		
		Ndoano au		
(5) The Minister may, upon		mishipi ya		
the recommendations of the		mkono kutoka		
Director, by		pwani bila		
order in the Gazette, restrict		kutumia		
or prohibit fishing of any		chombo cha		
fish species or		uvuvi ikiwa ni		
any kind of fish or dealing		kwa uvuvi wa		
in fish products, aquatic		burudani,		
flora or products of aquatic		matumizi ya		
flora.		ndani		
		au uuzaji,		
		isipokuwa		
		katika		
		mkondo wa		
		samaki aina		
		ya trout au		
		kwenye		
		mazalia ya		
		samaki; na		
		(c) wavu		
		mdogo wa		
		kimia wa		
		(3) Kwa		
		madhumuni		
	22(a) deleted	ya kifungu hiki, leseni		
	22(c) deleted	· · · · · · · · · · · · · · · · · · ·		
		kufanya ya		
		biashara ya		
		samaki ndani		

ya nchi
itatolewa na
mamlaka
yenye
dhamana ya
leseni
(4) Waziri
kwa notisi
iliyochapishw
a katika
Gazeti la
Serikali,
kuzuia
Wamiliki wa
viwanda vya
samaki
kufanya uvuvi
katika maji
yaliyoainishw
a.
(5) Kutokana
na
mapendekezo
ya
Mkurugenzi
Waziri
anaweza,

			kuagiza kwa		
			kutangaza		
			katika Gazeti		
			la Serikali,		
			kuzuia uvuvi		
			wa aina		
			yoyote ya		
			samaki au		
			jamii yoyote		
			ya samaki au		
			kushughulika		
			na mazao ya		
			samaki,		
			mimea au		
			mazao ya		
			mimea ya		
			kwenye maji.		
Conservati	23(1) The Minister shall,	23. Retained	23(1) Waziri,		
on	after consultation with such		baada ya		
of	Competent		kushauriana		
fisheries	persons within the public		na watu		
resources	and private sectors		wenye		
	knowledgeable on		dhamana na		
	environment issues, by		masuala ya		
	order in the Gazette, declare		mazingira,		
	the conservation of		ndani ya sekta		
	any critical habitat or		ya umma na		
	endangered species.		watu binafsi		
	(2) Any order referred to in		atatangaza		
	subsection		katika Gazeti		
	(1), may contain such		la Serikali,		
	exceptions and exemptions		uhifadhi wa		
	from its provisions in		eneo muhimu		

,	1			1
respect of such		la ikolojia au		
persons and such area as the		aina za		
Minister may provide in		viumbe walio		
such order.		katika hatari		
(3) If any critical habitat or		ya kutoweka.		
endangered species referred				
to in any		(2) Katazo		
order made under		lolote		
subsection		lililotajwa		
(1) ceases to be critical		katika kifungu		
habitat or		kidogo cha		
endangered species, the		(1), linaweza		
provisions of any such		kutohusisha		
order shall cease to apply.		watu au eneo		
		kama		
		Waziri		
		atakavyoona		
(4) Subject to any exception		inafaa.		
or exemption provided for				
in any order,				
no person may, without				
licence or lawful authority,		(3) Kama		
fish, take or offer		eneo muhimu		
for sale any fishery product		kwa ikolojia		
from any conserved area		au viumbe		
		vilivyo katika		
		hatari ya		
		kutoweka		
		kama		
		ilivyoanishwa		
		chini ya		
		kifungu		
		kidogo cha		

1	•	<u>,                                      </u>		1
		(1) linakosa		
		sifa za kuwa		
		eneo muhimu		
		la kiikolojia		
		au viumbe		
		vilivyo katika		
		hatari ya		
		kutoweka		
		masharti ya		
		utaratibu huo		
		yatakoma		
		kufanya kazi.		
		(4) Pamoja na		
		msamaha		
		uliotolewa		
		katika		
		vifungu vya		
		sheria hii,		
		hakuna mtu		
		atakayeruhusi		
		wa, kuvua au		
		kuuza samaki		
		kutoka		
		sehemu		
		yoyote		
		iliyohifadhiw		
		a bila ya		
		leseni au		
		kibali kutoka		
		mamlaka		
		husika.		
		musika.		

VIWA	FISH QUALITY, MA S ANGO VYA UBORA NA US	EHEMU YA VI				
Condition	24. The <b>Minister</b> shall by	(1)The sub	Proper	24.Waziri kwa notisi	1. Kifung	Kuwa na
S	notice published in the	section is	address	katika gazeti ataweka	u	mpangilio
for quality	Gazette, impose conditions	amended by		masharti kuhusu	kimebadilish	mzuri.
manageme	that are necessary for	deleting the		usalama wa samaki	wa kwa	
nt	ensuring the right of	word	Proper	na mazao yake ili	kuweka neon	
	consumers to safe,	"Minister" and	address	kulinda afya ya	"Mkurugenz	
	wholesome and	replace it with		walaji kwa:	<b>i</b> '' badala ya	
	unadulterated fish and	the word			neno	
	fishery products by-	"Director"	Proper		"Waziri"	
	(a) prescribing	(2) Paragraph	address		2. Kifung	
	specifications for fish	(d) modified by			u kidogo (d)	
	processing establishments,	adding the			kimerekebish	
	cold rooms, ice plants, fish	word "in Fish			wa kwa	
	transportation vehicles,	establishment"			kuweka neno	
	boats and	after the word		(a) Kuainisha mahitaji	"Viwanda	
	landing stations;	(HACCP).	Proper	ya viwanda vya	vya samaki"	

	(2) D 1	1.1	1 1 1	1 1
	(3) Paragraph	address	kuchakata mazao	baada ya
	(h) modified to		ya uvuvi, vyumba	neon
	read		vya ubaridi,	"HACCP"
	"establishing		mitambo ya	3. Kifung
	obligatory		kuzalisha barafu,	u (h)
	traceability		magari ya	kimeboreshw
	system for		kusafirishia	a na
	Fish and		samaki, maboti na	kusomeka
	Fishery		mialo ya	kuwa mfumo
	products and		kupokelea samaki	wa ufuatiliaji
	in all Fish		(b) Kuainisha masharti	kuwa ni suala
	establishment	S	ya kuzingatia kwa	la lazimakwa
	at all stages"		wanaojihusisha na	kila hatua.
(b) prescri	bing conditions (4) Sub section	ı	biashara ya	4. Kuonge
` ' -	ch dealers of fish <b>modified by</b>		samaki na mazao	za Kifungu
and fishery	•		ya uvuvi.	kidogo (j)
	hall abide to; paragraphs (j	<b>,</b>	(c) Kuutaka uongozi	kinachoonesh
products	which reads:	<b>'</b>	wa viwanda vya	a kipindi cha
(c) requiris	ng management (j) Prescribing	,	kuchakata mazao	kuvua
of fish pro	0	•	ya uvuvi kuandaa	Kuvuu
_	nar vesting period		na kutekeleza	
I	ment quality		mfumo wa	
_	ent programmes		usimamizi wa	
and own cl				
and own ci	necks;		ubora, na kufanya	
			ukaguzi wao wa	
			ndani.	
			(d) Kuwa na programu	
			ya uangalizi wa	
			ubora na usalama	
			wa samaki na	

(d)Monitoring quality management programmes and application of Hazard Analysis and Critical Control Point (HACCP);	mazao na utumiajiwa mfumo wa ufuatiliaji wa kuzuia madhara kutokea wakati wa uchakataji(HACCP)  (e) Kufanya uchunguzi wa vimelea na kemikali kwenye samaki na mazao yake i kabla ya kumfikia mlaji.  (f) Kuthibitisha ubora wa samaki na mazao ya uvuvi kwa njia ya kutoa cheti cha afya kabla mazao hayajafikishwa sokoni.	
(e)Performing microbiological and chemical and physical analyses to fish and fishery	(g) Kuzuia uuzaji kwa baadhi ya aina za samaki na mazao yake, (h) Kuanzisha mfumo	

products before they are released for human consumption;  (f) certifying on the quality of fish and fishery products through issuance of a sanitary certificate before they are placed on the market;	wa ufuatiliaji wa samaki na mazao ya uvuvi hatua kwa hatua hadi kwenye chanzo, (i) Kubainisha namna ya uwekaji wa taarifa katika lebo za samaki na mazao ya uvuvi.	
(g)prohibiting the sale of certain types of fish and fishery products;		
(h) establishing a traceability system of fish and fishery products at any stage to the source;		

	T		T		
	(i) prescribing the manner in which fish and fishery products placed on the				
	market shall be labelled.				
Paramete	market shall be labelled.	The principal		Sheria	
rs for fish		act is amended		inabadilishwa	
quality		by Adding new		kwa kuongeza	
control		sections		kifungu kipya	
Control		Sections		Kiruligu Kipya	
				Mtu	
		Any norgan		anayetekeleza	
		Any person			
		exercising		majukumu ya ke chini ya	
		jurisdiction		_	
		under this Act		Sheria hii,	
		shall, in		kuhusiana na	
		relation to		maamuzi	
		any decision,		yoyote,	
		exercise of		atakuwa na	
		any power or		Mamlaka au	
		performance		kutekeleza kazi	
		of any		yoyote	
		function		inayohusiana	
		regarding fish		udhibiti wa	
		quality		ubora wa	
		control, be		samaki na	
		guided by the		mazao yake	
		following		na ataongozwa	
		parameters:-		na vigezo	
		(a) Safety of		vifuatavyo;	
		the		a) Usalama wa	
		product;		bidhaa	

	(b) Risk	b) Tathmini ya
	analysis;	madhara
	(c) Operator	c) Wajibu wa
	responsibi	mwendeshaji
	lity;	d) Kinga kwa
	(d) Consumer	mlaji
	protection	e) Makubalinao
	;	ya kibiashara
	(e) Trade	
	agreements.	
Standard	The Director	Miongozo ya
Operatin	shall establish,	taratibu za
g	monitor and	ukaguzi wa
Procedur	improve the	viwanda vya
es	Standard	kuchakata
	Operation	mazao ya
	Procedures for	uvuvi
	Fisheries	itaandaliwa,
	Inspection to	kufuatailiwa na
	be used during	kuboreshwa na
	control of fish	Mkurugenzi
	establishments	
Establish	There is	Kutakuwepo
ment of	hereby	na Maabara za
National	established	Taifa za
Fish	National Fish	kuthibiti Ubora
Quality	Quality	mazao ya
Control	Control	Uvuvi.
Laborato	Laboratories.	
ries		
		Maabara ya
Functions	The National	Taifa ya

of the	Fish Quality	Kuthibiti
Laborato	Control	Ubora wa
ries	Laboratories	Samaki na
	shall perform	Mazao yake
	the following	itafanya
	functions:-	shughuli
	(a) carry out	zifuatazo:
	tests and	
	analysis of	
	fish and	(a) Kufany
	fishery	a uchunguzi
	products	wa samaki
	for official	na mazao
	control;	yake kwa
	(b) carry out	udhibiti wa
	tests that	kiofisi
	have been	(b) Kufany
	validated;	a uchunguzi
		wa
		kimaabara
		kwa kutumia
	(c) carry out	njia
	physical,	zilizohakikiw
	chemical	a.
	and	
	microbiolo	(c) Kufany
	gical tests	a uchunguzi
	of water,	wa vimelea,
	sediments,	kikemikali na
	fish and	kimaumbile
	fishery	kwa maji,
	products	matope, na
	to	samaki na

	certain	mazao ili
the	e safety,	kubaini
qu	ality	usalama,
and	d	ubora na
sta	indards;	viwango
(d)		-
mo	onitorin	
g g	of the	
	vironme	
nt	and	(d) Ufuatili
pre	oducts;	aji wa samaki
	rry out	na mazingira
	search	yake.
and		(e) Kufany
	nining;	a utafiti na
	8,	kuendesha
(f) con	nduct	mafunzo,
\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	spection	(f) Kufany
	rvices to	a huduma za
fisl		ukaguzi wa
	etory	maabara za
	poratori	viwanda vya
es;		samaki
	cility to	(g) Uwezo
	spute	wa
	tlement	Kusuluhisha
s		migogoro
	garding	inayohusu
	fety and	usalama wa
	ality	mazao na
	andards	mazingira ya
	d their	uzalishaji.
	ated	(h) Kutoa
101		

	environme	huduma za
	nt;	kimabara
	(h) provide	zinazohusu
	laboratory	mahitaji ya
	services	kiuchunguzi
	for related	na
	analytical	kimaabara.
	requireme	(i) Kuainis
	nts and	ha orodha ya
	laboratori	maabara
	es;	zilizokidhi
	(i) publishing	kufanya
	the list of	uchunguzi
	the agreed	wa samaki na
	certified	mazao yake
	laboratorie	na kazi
	s to	zingine kama
	perform	itakavyoelek
	fish and	ezwa.
	fishery	
	products	
	analysis;	
	and carry	
	out any	
	other	
	functions	
	as it may	
	deem fit	
	and	
	necessary.	
Environm	There shall be	Kutakuwa na
ental	an	Programu ya
monitorin	environmental	Uangalizi wa

g program me		monitoring programme.		Mazingira	
National Residual Monitori ng Plan		There shall be National Residual Monitorin		Kutakuwa na Mpango wa Taifa wa Uangalizi wa	
ng i ian		g Plan		Mabaki ya Madawa	
Competen t authority	25(1) The Director shall be the competent authority in all matters pertaining to Fish and Fishery products.	The principal act is amended by modifying Section 25	25- 1) Mkurugenzi atakuwa ndiye Mamlaka yenye	25 Sheria inaboreshwa kwa	
		25(1) The Director shall be the competent authority in all matters	dhamana ya usimamizi kwa masuala yote yanayohusu bidhaa za samaki na mazao yake  2) Mkurugenzi	kurekebisha kifungu cha 25 (1) 25. (1) Mkurugenz i atakuwa ndiye Mamlaka	
	(2) The Director shall prescribe standards for hygienic and quality placement in a market, set and adopt minimum standards for safety and quality assurance and ensure that the standards are applied throughout	pertaining to fish and fishery products.  (4) The Director shall prescrib	atainisha viwango vya usafi na ubora kwa samaki na mazao yake yanayowekwa sokoni, and kuweka masharti ya msingi kuthibitisha usalama wa mazao hayo, katika	yenye dhamana ya masuala yote yanayohusu samaki na mazao yake.	
	the fishing industry. (3) The Director shall specify hygienic conditions	e standard s for	viwanda vya samaki kwa muda wote. (3) Mkurugenzi	(2) Mkurugen zi atainisha	

for-	hygieni	atabainisha	viwango	
(a) fish and fishery products	c and	matakwa ya usafi	vya usafi	
parasites;	quality	kwa:	na ubora	
(b) staff working in fish	placeme	(a) Wadudu wa	wa samaki	
processing establishments;	nt in a	samaki na	na mazao	
(c) thawing fishery	market,	mazao ya uvuvi	yake	
products;	set and	(b) Watumishi	yanayopel	
(d) freezing of products;	adopt	wanaofanya	ekwa	
(e) fresh products;	minimu	kazi viwandani	sokoni, na	
(f) processed products	m	(c) Uyeyushaji wa	kuweka	
including smoked, salted,	standard	samaki na	masharti	
dried fish and	s for	maao ya uvuvi	ya msingi	
other fishery products.	safety	(d) Ugandishaji wa	kuthibitish	
	and	Mazao ya	a usalama	
	quality	uvuvi;	wa mazao	
	assuran	(e) Mazao ya uvuvi	hayo,	
	ce and	yaliyopoozwa	katika	
		(f) Mazao	viwanda	
		yaliyochakatwa	vya	
		husani, samaki	samaki.	
		wa kukaangwa,		
		waliotiwa		
		chumvi na		
		mazao mengine		
	(3) The	(4)		
	Director			
	shall		(3) Mkurugen	
	specify		zi	
	hygienic		atabainish	
	conditions		a matakwa	
	for;		ya usafi	
	(a) fish and		kwa:	
	fishery		(a) Vimelea	

products	vya	
parasites;	samaki na	
(b)staff	mazao	
working	yake,	
inter allia	(b) Wafanyak	
in fish	azi wa	
establishme	viwanda	
nts cold	vya	
stores, ice	kuchakata	
plants,	mazao ya	
hatchery	uvuvi,	
fish	maghala	
transportat	ya	
ion vehicles	kuhifadhi,	
and boats,	magari na	
(c) thawing	boti za	
fishery	kusafirisha	
products;	samaki.	
	(c) Kuyeyush	
(d) freezing	a mazao	
of products;	yaliyogan	
(e) fresh	da	
products;	(d) Ugandisha	
(f) processed	ji Mazao	
products	ya samaki	
including	(e) Samaki	
smoked, ensure	wabichi	
that the	(f) Mazao	
standards are	yaliyochak	
applied	atwa	
throughout the	ikiwemo,	
fishing	yalikaush	
industry.	wa kwa	

				moshi kuhakiksh	
				a kuwa	
				viwango	
				vimezinga	
				tiwa kwa	
				muda wote	
Prevention	26. The Director shall	26. Retained	26.Mkurugenzi		
of	establish and maintain		ataanzisha na		
commerci	effective systems to detect		kutunza mfumo		
al	and prevent commercial		madhubuti wa		
fraud	fraud by requiring every		kubaini na kuzuia		
	batch and Fish or Fishery		udanganyifu katika		
	products placed on the		biashara kwa kuagiza		
	market to have a sanitary		kila mazao		
	mark		yaliyozalishwa kwa		
	showing-		mkupuo yanakuwa		
			na alama ya usafi		
	(a)common name and		inayoonesha:		
	scientific name of fish		(a) Jina la asili na		
	species;		jina la kisayansi		
	(b) grade;		la samaki		
	(c) exact weight;		(b) Daraja		
	(d) name, postal and		(c) Uzito halisi,		
	physical address of		(d) Jina na anuani ya		
	processor;		posta na eneo la		
	(e) date and place of		makazi la		
	manufacture;		mzalishaji		
	(f) the expiry date; and		(e) Tarehe na eneo		
	(g) Origin of the product.		la uzalishaji		
			(f) Tarehe ya		
			mwisho wa		
			matumizi		

				(g) Asili ya bidhaa	
Fish and	27. The Director shall in	Section	For clarity	Mkurugenzi kwa	Kifungu hiki
Fishery	collaboration with other	modified to		kushirikiana na	kinaboreshwa
product	relevant government	read: "The		Mamlaka zingine na	na kitasomeka
Marketin	agencies and the private	Director in		sekta binafsi	ifuatavyo;
g and	sector ensure hygienic Fish	collaboration		atahakikisha usafi wa	Mkurugenzi
distributi	marketing and distribution.	with other		samaki katika,	kwa
on		relevant		masoko. na	kushirikiana na
		government		usambazaji	Mamlaka za
		agencies,			Serikali na
		"institutions"			wawekezaji
		and the private			binafsi
		sector <b>shall</b>			atahakikisha
		ensure that fish			kuwa samaki
		and <b>fishery</b>			na mazao ya
		products are			uvuvi
		distributed			yanasambazwa
		and marketed			katika hali ya
		in hygienic			usafi.
		condition			
Investme		The principal			Sheria
nt plan		act is amended			inabadilishwa
		by Adding new			kwa kuongeza
		section			kifungu kipya
		A person who			(i) Muwekezaj
		intends to			i
		invest in fish			anayekusud
		capture			ia
		industry shall			kuwekeza
		submit to the			katika
		Director an			kiwanda
		investment			cha samaki
		plan which			wa asili

shall include	atawasilish
inter allia:-	a mpango
architectural	wa
plan;	uwekezaji
	ukiambatis
an	hwa na:
Environment	
Impact	
Assessment	(a) Mchoro
report	uliosanifiwa
approved by	;
the relevant	
authority;	(b) Taarifa
	ya tathmini
Certificates of	ya athari za
Incorporation	kimazingira
	ilithibitishw
Work permit	a na
for non	
residents;	yenye
	dhamana,
<b>Description of</b>	
the project;	(c)Cheti cha
	usajili wa
Capital of the	kampuni
investor;	(d) Kibali
	cha kufanya
Species,	kazi kwa
fisheries	asiye mkazi
related	(e)Maelezo ya
products and	kina ya
inputs,	mradi
finished	(f) Mtaji wa

	1	<b>.</b>	T			1	
		product and			mwekezaji		
		the production			(g) Aina za		
		capacity; and			samaki na		
		Final market			mazao		
					anayokusudi		
					a kuzalisha		
					pamoja na		
					uwezo wa		
					kiwanda; na		
					(h) Soko		
					ambalo		
					bidhaa		
					zinakusudiw		
					a kuuzwa		
	PART VII						
	FINA	NCIAL PROVISIO	ONS				
Power to	28(1) The Minister shall	Section		28 (1) Waziri	Power to		
Charge	by notice published in the	amended by		atatoa taarifa	Charge		
fees	Gazette,	modifying		iliyochapishwa katika	fees		
ices	,			Gazeti la Serikali,	1668		
	prescribe fees for fishing	marginal notes		*			
	vessel registration, various	to read:		kuagiza ada za usajili			
	licences, services,	"Power to		wa chombo cha			
	permits and export	impose Fees		uvuvi, leseni			
	royalties.	and charges"		mbalimbali,			
				vibali na ushuru wa			
	(2) In determining the			kusafirisha mazao ya			
	levels of export royalty for			uvuvi nje ya nchi.			
	a particular fish						
	and fishery product, regard			(2) Katika kuamua			
	shall be paid to-			viwango vya mauzo			
				ya mazao ya uvuvi			
				mambo ya			
				kuzingatiwa ni			

_					
			pamoja na;		
	(a) the weight of the		(a) uzito wa bidhaa;		
	products; and		na		
	(b) such other factors as		(b) mambo mengine		
	may be prescribed.		ambayo yanaweza		
			kuagizwa.		
	(3) The Minister may by		(3) Waziri anaweza		
	notice published in the		kwa taarifa		
	Gazette, exempt		iliyochapishwa katika		
	certain fish and fishery		Gazeti la Serikali,		
	products from being		kuondoa ushuru kwa		
	charged export royalty.		aina		
	enarged export royarty.		fulani ya samaki au		
			bidhaa za samaki		
			kutotozwa ushuru wa		
			kusafirisha nje ya		
			nchi.		
Fisheries	29(1) There is hereby	Sub section	29 (1)	Kifungu hiki	
Developm	established in the office of	29(2) is	Kutaanzishwa mfuko	29(2)	
ent	the Director, a fund that	amended by		kimerekebishw	
	I '	<b>5</b>		4	
Fund	shall be known as the	adding	Mkurugenzi,	***	
	Fisheries Development	additional	ambao utajulikana	kuongeza	
	Fund.	sources of	kama Mfuko wa	vyanzo vingine	
		income after	Maendeleo ya Uvuvi.	vya mapato	
		paragraph (e) to	(2) Mfuko na vyanzo	baada ya	
	(2) The Fund and resources	include:-	vya mapato ya	kifungu ( e)	
	of the Fund shall consist of-	10% of some	Mfuko vitajumuisha-	vitakavyojumu	
	(a) any such sum as may be	realized by sale	(a) Kiasi chochote	isha:-	
	appropriated by the	of any fish	cha fedha	(f) Asilimia	
	Parliament;	produce	kinachoweza	kumi ya	
		confiscated	kuidhinishwa na	mauzo ya	
	(b) any sum or property	under	Bunge;	samaki	
	which may in any manner	provisions of	(b) Kiasi chochote au	waliotaifi	

become	the Fisheries	mali ambayo inaweza	shwa kwa
payable into the Fund;	Act	kwa namna yoyote	mujibu
	10% of sum	Kuchangia katika	wa sheria
	realized from	Mfuko;	hii
	inspection of	(c) Mapato yoyote	(g) Asilimia
	fisheries	yatokanayo na mradi	kumi ya
(c) any income generated	establishments	wowote	mapato
by any project financed by	Any income	unaofadhiliwa na	yatokanay
the Fund,	generated from	mfuko,	o na
due allowance being made	fisheries project	(d)Misaada,	ukaguzi
for any necessary expenses	10% any	michango, changizo	wa
which	monies	au kiasi chochote	viwanda
must be met by any such	collected from	kitakachochangiwa	vya
project;	compounded	na	samaki.
(d) grants, donations,	offences and	watu binafsi,	(h) Mapato
bequests or such sum	penalties due to	mashirika Taasisi na	yoyote
contributed by any	committed	mashirika ya	yanayoto
private individuals,		kimataifa, ndani au	kana na
corporate bodies,	illegal fishing	nje ya nchi;	miradi ya
foundations and	practices	(e) Fedha zozote	Uvuvi
international organizations,	5% of the	zitakazopatikana	
within or outside the	monies by	kihalali kutoka	
country;	LGA from	vyanzo mbalimbali	
(e) any such funds legally		(3) Kutakuwa na	
acquired from various	activities	Kamati ya Mfuko wa	(i) Asilimia
sources.		Maendeleo ya Uvuvi	kumi ya
	Section 29 is	Itakayoteuliwa na	fedha
	amended by	Waziri, ambayo	zinazotok
	adding sub	itawajibika na	ana na
(3) There shall be a	section (4) to	usimamizi	makusany
Committee of Fisheries	read as	wa Mfuko.	o ya faini
Development Fund	follows:-		za
appointed by the Minister,	The Committee		makossa

which shall be responsi	ible shall be	ya uvuvi
for the management	composed of	haramu.
of the Fund.	members from	
	the following	(j) Asilimia
	institutions-	tano ya
		fedha
	(a) Two	zinazokus
	representativ	anywa na
	es from the	halmasha
	public	uri kutoka
	service in the	vyanzo
	capture	vinanavy
	fisheries	otokana
	(b) Legal	na
	Officer from	shughuli
	the Ministry	za uvuvi.
	responsible	
	for fisheries;	
	(c) Represen	Kifungu hiki
	tative from	29(2)
	Ministry	kimerekebishw
	responsible	a kwa
	for Local	kuongeza
	Government	kifungu (4)
	responsible	kitasomeka
	for linking	kama
	central	ifuatavyo:-
	government	Kamati
	interventions	itakuwa na
	with	wajumbe
	communities;	kutoka taasisi
	(d) Represen	zifuatazo-
	tative from	(a)Wawakilishi

Ministry	wa wawili	
responsible		ekta
for finance	ya Um	nma
dealing with	inayohusika	na
projects	Uvuvi kwe	nye
financing	maji ya asil	i
(e) Two	(b)	
representativ	Mwanasheri	ia
es from	kutoka Wiz	zara
Fisheries	inayohusika	na
stakeholders.	masuala	ya
	Uvuvi	
	(c)Mwakilis	shi
	kutoka Wiz	zara
	inayohusian	a
	na masuala	ya
	Selikali	za
	mitaa	ili
Section is	kuunganisha	a
amended by	shughuli	za
adding sub	serikali kuu	na
section (5) to	jamii	
read as		
follows:-	(d)Mwakilis	shi
Tenure,	kutoka Wiz	zara
meetings and	inayohusian	a
proceedings of	na masuala	ya
the Committee	fedha	
shall be as set	anayehusika	n na
out in the	ufadhili	wa
Schedule of	miradi.	
this Act.		
	(e)	

		Wawakilishi	
		wawili kutoka wadau wa	
		wadau wa Uvuvi	
		Ovuvi	
		Kifungu hiki	
		kimerekebish	
		wa kwa	
		kuongeza	
		kifungu (5)	
		kitasomeka kama	
		ifuatavyo:-	
		Muda wa	
		kukaa	
		madarakani,	
		vikao na	
		mashauri ya	
		kamati	
		yatakuwa	
		kama	
		yalivyoelekez	
		wa katika	
		jedwali la	
		sheria hii.	

Purpose of	30. The objects and	Section	Proper	30. Madhumuni na	1) Kifungu	Mabadiliko
the Fund	purposes of the Fund are to-	modified by	_	malengo ya Mfuko	,	ya Kawaida
	(a) promote awareness of	replacing the	Madhumuni	ni-	a kwa	katika
	the importance of	word "Objects"	ya Mfuko	(a) Kuongeza	kuchukua neno	vipengele.
	protection, development	with		ufahamu na umuhimu	"vitu" na	1 0
	and sustainable use of	"Objectives"		wa ulinzi,	"Malengo"	
	fisheries resources through	Section		na matumizi endelevu	(2) Kifungu	
	public	modified by		ya rasilimali za uvuvi	kimerekebishw	
	education and training;	deleting		kupitia	a kwa kufuta	
	(b) promote and assist in	paragraphs (a),		Elimu kwa umma na	vifungu vidogo	
	the development of	(d), (e), (i), (j),		Mafunzo;	(a), (d), (e), (i),	
	community	(k), (l).		(b) Kukuza na	(j), (k), (l).	
	management units by			kusaidia vikundi vya		
	giving grants and assisting	Section		kijamii vyenye lengo		
	groups of	modified by		la kulinda uhifadhi na		
	persons wishing to form	deleting the		rasilimali za uvuvi.		
	fisheries conservation and	word "by		(c) Kukuza na	\ <i>\</i>	
	protection	giving grants"		kuendeleza tafiti		
	groups;	from paragraph		katika uvuvi;	a kwa kufuta	
	(c) promote and develop	(b).		(d) Kuwezesha	neno "kwa	
	research in fisheries;	Paragraph (f)		Tanzania Bara	kutoa misaada"	
		modified to		kufaidika na mipango		
	(d) enable Mainland	read:- Assist in		na mifuko ya	kifungu	
	Tanzania to benefit from	monitoring of		kimataifa	kidogo(b).	
	international initiatives	compliance to		Kwa ajili ya uhifadhi		
	and international funds	this Act.		, , , , , , , , , , , , , , , , , , , ,	(A) T7:0	
	directed towards			ulinzi wa kibaiolojia	` '	
	conservation and			na kukuza rasilimali	kidogo (f)	
	protection of biological			za uvuvi;	kimerekebishw	
	diversity and promotion of				a kusomeka: -	
	sustainable			(a) Vyyaaidi!! !!	Kusaidia	
	development of fishery			(e) Kusaidia vikundi		
	resources;			na watu binafsi	ufuatiliaji wa	

(e) assist group of persons	kushiriki katika	uzingatiaji wa
and individuals to	Mijadala ya wazi	Sheria hii.
participate in any	unaohusu masuala ya	
public debates and	uvuvi kama vile	
discussions on fisheries	kufanya	
such as the making	tathmini ya athari za	
of environmental impact	mazingira;	
assessment;	(f) Kusaidia makundi	
	ya watu na watu	
(f) assist groups of persons	binafsi ili	
and individuals to ensure	kuhakikisha kuwa	
compliance	wanafuata Sheria hii;	
with this Act;	,	
Ź	(g) Kusaidia shughuli	
	za ulinzi wa	
	rasilimali za uvuvi;	
(g) support fisheries	(h) Kutangazabidhaa	
protection activities;	za uvuvi katika soko	
,	la nje, kukidhi	
(h) promote fishery	viwango vya	
products in the external	kimataifa na	
market, compliance	kuboresha ubora wa	
with international standards	mazao ya uvuvi	
and improvement of quality	katika	
for	soko la ndani;	
local market;	,	
,	(i) Kuwezesha	
	Tanzania Bara kulipa	
	ada yake ya	
	uanachama na	
	michango mbalimbali	
	ya kimataifa	
	(j) Kukuza shughuli	
	U) Rukuzu Shughun	

			II : IIC ::		
			za Uvuvi na Ufugaji		
	(i) enable Mainland		wa Viumbe kwenye		
	Tanzania to pay her		Maji		
	membership fee and		(k) Kuwezesha		
	various contributions to		ukusanyaji wa		
	relevant international		Takwimu za uvuvi;		
	fisheries		na (1) K 1 1 1 1		
	organization;		(1) Kukuza shughuli		
	(j) promote aquaculture		nyingine za asili		
	activities and restocking of		kama		
	natural water		zitakavyoianishwa na Sheria hii.		
	bodies; (k) facilitate fisheries data		Sheria IIII.		
	collection; and				
	(1) promote such other				
	activities of a like nature to				
	those set out in				
	this section as will advance				
	the purposes of this Act.				
		PART VIII			
	E	ENFORCEMENT			
		The principal	31-(1)	Sheria ya	
Surveillan	31(1) The Minister shall,	act is amended	Waziri atalazimika	Uvuvi	
ce	after consultation with the	by modifying	kuanzisha Kikosi	inafanyiwa	
unit	Minister	Section 31 to	cha D <b>oria</b> baada ya	marekebisho	
	responsible for Home	read:-	kushauriana na	kwa kuboresha	
	Affairs, establish a		Waziri anayehusika	kifungu cha 31	
	Surveillance Unit.	(1)There is	na Mambo ya Ndani.	ili kisomeke:-	
	(2) The Unit shall consist	hereby			

	of such number of persons as the Minister may determine based on advise of the Director.	established a unit known as Monitoring, Control and Surveillance; (2) The administration	kitajumuisha idadi ya watu kama itakavyoamuriwa na Waziri baada ya kushauriwa na Mkurugenzi na	1.	Kutakuwa na Kikosi kinachojulik ana kwa jina la Ufuatiaji, Udhibiti na Doria	
		of the Unit shall be vested in the Director (3) The Unit	maeneo kama ambavyo Mkurugenzi ataeleza baada ya kupata ukubali wa	2.	Uendeshaji wa Kikosi utakuwa chini ya Mkurugenzi	
		shall be organized in such zones and deployed according to	Waziri.	3.	Kikosi kitapangwa katika Kanda na kutekeleza	
		such areas or places as the Director may, with the consent of the			majukumu yake katika maeneo na mahali kwa kadri	
		Minister, prescribe.			Mkurugenzi atakavyoele keza baada ya kushauriana	
	32(1) The function of the Unit shall be the protection of fish and	The Principal Act is amended by modifying	32(1) Kazi ya Kikosi itakuwa ni kulinda rasilimali za	U	na Waziri heria ya Ivuvi nafanyiwa	
Function of the Unit	its environment, fishery products and aquatic flora	Section 32 to read:-	Uvuvi(Samaki) na mazingira yake,		narekebisho wa	Function of the Unit

against unlawful		Mimea ya kwenye	kuboresha
dealers and generally the	32(1). The	maji dhidi ya	kifungu cha 32
enforcement of the	function of	wanaojishuhusisha na	ili kusomeka:-
provisions of this Act.	the Unit	shughuli samaki na	
(2) The Minister may, after	shall be the	mimea ya kwenye	32-(1)Kazi ya
consultation with the	protection	maji kinyume cha	Kikosi itakuwa
Minister	of fish and	Sheria na kwa ujumla	kulinda samaki
responsible for Home	its	wake kusimamia	na mazingira
Affairs and Minister	environmen	utekelezaji wa	yake, mazao ya
responsible for Defence, by	t, fishery	matakwa ya Sheria	uvuvi na
regulations published in the	products	hii.	mimea ya
Gazette, provide for-	and aquatic		kwenye maji
(a) the organization and	flora against	(2) Waziri anaweza	dhidiya
deployment of the Unit, the	unlawful	baada ya kushauriana	wanaojihusisha
conditions and	dealers and	na Waziri	na shughuli
terms of service and the	generally	anayehusika na	samaki na
various grades, ranks and	the	Mambo ya Ndani na	mimea ya
appointments of officers;	enforcement	Waziri wa Ulinzi	kwenye maji
(b) the duties to be	of the	kuchapisha Kanuni	kinyume cha
performed by members of	provisions	katika Gazeti la	Sheria ana kwa
the Unit, and their	of this Act.	Serikali kwa kutoa:	ujumla wake
guidance in the discharged		(a) Mpangilio na	kusimamia
of those duties;		namna ya utendaji	utekelezaji wa
(c) the regulation of matters		kazi, masharti, ya	matakwa ya
relating to discipline in the		ajira, madaraja, vyeo	Sheria hii.
Unit;	(5) The	na uteuzi wa Maafisa	(2) Waziri
(d)the description and issue	Minister	wa Kikosi.	anaweza baada
of arms, ammunition	may,	(b) Majukumu	ya kushauriana
accouterments,	after	yatakayofanywa na	na Waziri
uniforms and other	consulta	wafanyakazi wa	anayehusika na
necessary supplies to	tion	Kikosi na miongozo	Mambo ya
members of the Unit;	with the	ya kufuatwa katika	Ndani na
(e) matters relating	Minister	utekelezaji wa	kupata ukubali

111		T	36 1 1	<b>.</b>	
generally to the good order	responsi		Majukumu.	wa Rais	
and administration	ble for		(c) Masharti juu ya	kuchapisha	
of the Unit.	home		mambo yanayohusu	Kanuni katika	
	affairs		nidhamu katika	Gazeti la	
	and		Kikosi.	Serikali juu ya:	
	with the		(d) Maelekezo na		
	consent		utoaji wa silaha,		
	of the		risasi na vifaa		
	Preside		vinavyohusiana, sare,		
	nt, by		na vifaa vingine vya		
	regulati		muhimu kwa ajili ya		
	ons		Kikosi		
	publishe		(e) Mambo		
	d in the		yanayohusiana na		
	Gazette,		utengamano na	(a) Mpangilio	
	provide		utawala wa kikosi	na namna ya	
	for:-			utendaji kazi,	
				masharti, ya	
				ajira, madaraja,	
				vyeo na uteuzi	
				katika Kikosi.	
	(a) the			114441144 111110511	
	organizatio				
	<b>n</b> and				
	deployment				
	of the Unit,				
	the				
	conditions				
	and terms of				
	service, and				
	the various				
	grades,				
	ranks and				

appointment		
s in it;		
( <b>b</b> ) the	(b) Majukumu	
duties to be	yatakayofanyw	
performed	a na	
by members	wafanyakazi	
of the Unit,	wa Kikosi na	
and their	miongozo ya	
guidance in	kufuatwa	
the	katika	
discharge of	utekelezaji wa	
those	Majukumu.	
duties;	(c) Masharti	
(c) the	juu ya mambo	
regulation	yanayohusu	
of matters	nidhamu katika	
relating to	Kikosi.	
discipline in		
the Unit;		
	(d)Maelekezo	
(d) the	na utoaji wa	
description	silaha, risasi na	
and issue of	vifaa	
arms,	vinavyohusian	
ammunition	a, sare, na	
,	vifaa vingine	
accouterme	vya muhimu	
nts,	kwa ajili ya	
uniforms	Kikosi	
and other		
necessary		
supplies to	(e)Mambo	
members of	yanayohusiana	

	1	I				1
		the Unit;			na utengamano	
		(e) matters			na utawala wa	
		relating			kikosi.	
		generally to				
		the good			Kifungu hiki	
		order and			kinafanyiwa	
		administrati			marekebisho	
		on of the			kwa kuongeza	
		Unit.			kifungu kidogo	
					cha 3	
		The section is			kitakachosome	
		amended by			ka:-	
		adding a new			(3)Kikosi	
		sub section (3)			kitatengeneza	
		to read:-			Kanzidata kwa	
					ajili ya	
		(3)The Unit			Ufuatiliaji,	
		shall develop a			Udhibiti na	
		data base for			Doria	
		monitoring,			utakaofanywa	
		control and			na Kikosi.	
		surveillance			Kanzidata hiyo	
		performed by			itatumiwa na	
		its services			maafisa	
		and shall be			walioruhusiwa.	
		accessible to				
		all authorized				
		officers.				
Powers of	33. The officers of the Unit	The principal	For clarity	33. Maafisa wa	Sheria ya	Powers of the
the Unit	shall have powers to -	act is amended		Kikosi watakuwa na	uvuvi	Unit
	(a) cause the master,	by modifying		Mamlaka ya:-	inafanyiwa	
	skipper or boatman of a	Section 33 to		(a) Kumuamuru,	marekebisho	
	fishing vessel or any	read:-		Nahodha au	kwa kuboresha	

other suspicious vessel to		Mwendesha boti	Kifungu 33 ili
stop;	(1)The Unit	kusimamisha chombo	kisomeke:
	shall have	cha uvuvi au chombo	
(b) require the master,	power to: -	kinachotuhumiwa.	(1) Kikosi
skipper or boatman to stop	•	(b) Kumuamuru,	kitakuwa na
fishing and take	(a) search,	Nahodha au	mamlaka ya:
fishing gear of a fishing	arrest and	Mwendesha boti	(a) Kupekua,
vessel back on board;	seize;	kusimamisha uvuvi	kukamata na
		na kutegua mtego	kuzuia
	(b)	kutoka kwenye maji	(b) Kutoza
	compound	na kuurudisha	faini ya
	offences as	kwenye Chombo.	makosa
	set out in		yaliyoorodhesh
	the	(c) Kumuamuru	wa katika
(c) require the master,	Schedule	Nahodha au	jedwali lililopo
skipper or boatman to	to this Act;	mwendesha boti	katika Sheria
facilitate the boarding		kumuwezesha afisa	hii.
of a fishing vessel by all	(a) haaad	mwenye mamlaka	
appropriate means;	(c) board	kuingia katika	(c) Kuingia na
	and search	chombo.	kupekua
(d) go on board a fishing	any vessel,	(d) Afisa mwenye	chombo
vessel or any other	vehicle or	mamlaka kuamuru	chochote, gari
suspicious vessel and	any part	kuingia kwenye	au sehemu ya
exercise powers of an	thereof;	chombo kwa kutumia	chombo hicho.
authorized officer;	(d) onton	mamlaka yake.	
	(d) enter and search		(d) Kuingia na
		(e) Kumuamuru	kupekua jengo
	any	Nahodha	lolote,
(e) require the master,	premise, building;	/Mwendesha boti au	Kiwanda,
skipper or crew to produce	establishm	baharia kuonyesha	Duka, Kituo
any certificate of	onta	cheti cha usajili wa	cha kuondokea
registration, record of fish		chombo,	au kuingilia
caught and other documents	shops, exit	kumbukumbu ya	nchini, ghala,

relating	points,	samaki waliovuliwa,	Soko au
to the fishing vessel or any	godowns,	na nyaraka zozote	mahala popote.
person on board as	markets or	zinazohusiana na	
appropriate;	any other	chombo hicho cha	
	places;	uvuvi au mtu yeyote	
		aliyemo ndani ya	
		chombo kwa kadri	
		itakavyoonekana	(e) Kuzuia,
	(e) seize,	inafaa.	kuondoa na
	remove	(f) Kufanya ukaguzi	kushikilia
	and retain	na kuchukua nakala	samaki,
	any fish,	za nyaraka	mimea, mazao
	aquatic	zilizotajwa katika	ya mimea ya
	flora, fish	kifungu(e).	kwenye maji,
(f) examine and take copies	product,		mazao ya
of any document mentioned	product of	(g) Kumtaka nahodha	uvuvi au kifaa
in	aquatic	au mwendeha boti	au kitu
paragraph(e);	flora, or	kutoa ufafanuzi	chochote
	any other	kuhusu chombo,	ambacho
	article or	samaki, nyavu za	kitakutwa
	thing,	uvuvi, vifaa,	kwenye
(g) require the master,	whether	mabaharia au mtu	chombo cha
skipper or boatman to give	found on	yeyote aliyemo	kwenye maji
any explanation	board of	kwenye chombo au	au gari au
concerning the vessel fish,	vessel or	nyaraka zozote	katika jengo
fishing gear, equipment and	vehicle or	zilizotajwa katika	lolote, pale
crew or	in any	kifungu (e) na	ambapo kosa
any person on board the	building,	(h) Kuamura chombo	litaonekana
fishing vessel and any	place or	cha uvuvi kutia nanga	limetendeka
documents	premises	kwenye bandari au	kwa Mujibu
mentioned in paragraph (e);	and in	Mwalo.	wa Sheria hii
and	respect of		au Kanuni
	which it		zilizotungwa

	ı	1	
	appears to	kwa mujibu wa	
	him that	Sheria hii au	
(h) require a fishing vessel	an offence	ambapo	
to come to port or to a	under this	itapelekea	
landing station	Act or any	kupata	
	subsidiary	ushahidi juu ya	
	legislation	kosa lolote	
	made	ambalo	
	under this	litakuwa	
	Act has	limetendwa.	
	been		
	committed,		
	or which		
	appears to		
	him to		
	constitute	(f) Kumkamata	
	evidence of	mtu yeyote	
	any such	ambaye	
	offence	anayetuhumiw	
	having	a kutenda kosa	
	been	kwa Mujibu	
	committed	wa Sheria hii	
	;	au Kanuni	
		zozote	
	(f) arrest	zilizotungwa	
	any person	chini ya Sheria	
	whom he	hii au yupo	
	reasonably	katika hatua za	
	suspects of	kutaka kutenda	
	having	kosa.	
	committed		
	any		
	offence		

under this	
Act or any	
subsidiary	(g) Kumuamur
legislation	u, Nahodha au
made	mwendesha
under this	chombo cha
Act or of	Uvuvi au
being	chombo
about to	kinachotuhumi
commit	wa
any such	kusimama
offence;	
(g) cause	(h) Kumuamur
the	u, Nahodha,
Master,	Mwendesha
Skipper or	chombo
Boatman	kusimamisha
of a fishing	uvuvi na
vessel or	kutegua mtego
any other	kutoka kwenye
suspicious	maji na
vessel to	kuurudisha
stop;	kwenye
, , , , , , , , , , , , , , , , , , ,	Chombo.
(h) require	
the	(i) Kumuamur
Master,	u Nahodha au
Skipper or	mwendesha
Boatman	boti
to stop	kumuwezesha
fishing and	afisa mwenye
take fishing	mamlaka
and mining	mamaxa

gear of a	kuingia katika
fishing	chombo.
vessel back	
on board;	
on court,	
(i) require	(j) Kuingia
the Master,	katika chombo
Skipper or	cha uvuvi au
Boatman to	chombo
facilitate	kinachotuhumi
the	wa na
boarding to	kutekeleza
a fishing	mamlaka ya
vessel by	Afisa
all	aliyeruhusiwa
appropriate	
means;	
	(k) Kumuamur
	u, nahodha au
(j) to board	Baharia
a fishing	kuonyesha
vessel or	cheti cha
any other	usajili wa
suspicious	chombo,
vessel and	kumbukumbu
exercise	ya samaki
powers of	waliovuliwa,
an	na nyaraka
authorized	mbalimbali
officer;	ikiwemo
	kumbukumbu
(k) require	za
the Master,	kielektroniki

Skipper or	zinazohusiana	
crew to	na chombo cha	
produce	uvuv <b>i,</b> samaki	
any	waliovuliwa	
certificate	au mtu yeyote	
of	<b>aliyemo</b> ndani	
registration,	ya chombo	
record of	kwa kadri	
fish caught	itakavyooneka	
and other	na inafaa.	
documents		
including	(l) Kukagua na	
electronic	kuchukua	
records	nakala za	
relating to	nyaraka	
the fishing	zilizotajwa	
vessel,	katika kifungu	
catches or	(k).	
any person		
on board as		
appropriate;	(m) Kumuamu	
	ru, Nahodha au	
	mwendesha	
	chombo kutoa	
	maelezo	
	kuhusu	
(l) examine	chombo,	
and take	samaki, nyavu	
copies of	za uvuvi, vifaa,	
any	mabaharia au	
document	mtu yeyote	
mentioned	aliyemo	
in	kwenye	

paragraph	chombo	au
(k);	nyaraka zo	ozote
	zilizotajwa	ı
(m)	r katika kif	ungu
equire th		
Master,		
Skipper	r	
Boatman t		
give an		ırıı
explanation	·	cha
concerning		kutia
the vesse.		
		· •
fish, fishin		au
ground,	Mwalo.	
fishing		_
gear,	Kifungu	cha
equipment		
and crew o		
any person	n marekebis	sho
on boar	d kwa kuon	geza
the fishing	y Vifungu	
vessel and	d Vidogo vy	ra (3)
any	na	(4)
documents	kusomeka	
mentioned	kama	
in	ifuatavyo	y <u>-</u>
paragraph	(2) Afisa	
(k); and	Msimamiz	zi
(K), und		neria
(n) require		
a fishin		)11 <b>G</b>
		WO
		wa
come t	Chombo	cha

port or to	a	Uvuvi akiwa
landing		katika eneo la
station.		uvuvi
Section 33 i	s	lisiloruhusiwa
amended by	y	kuvua
adding sul		kutunza
section (3) and	1	nyavu za
(4) to read a	s	uvuvi na vifaa
follows:-		vingine ndani
		ya chombo
(3) Th	e	katika hali
enforcement		ambayo
officer shall	1	havitatumika
ensure that	a	kwa uvuvi.
captain o	f	
fishing vesse	1	(3) Kila
while in	1	Nahodha ya
unauthorized		chombo
fishing area	,	kilichopewa
secure al	1	leseni
fishing gear	s	anatakiwa
and any othe	r	kutunza
equipment		katika
onboard used	1	chombo
for fishing in	1	kitabu cha
such a manne	r	kumbukumbu
that the	y	(Log book)
cannot b	e	chenye:
used in	1	(a) Kumbuku
fishing.		mbu za kila
(4) Ever	y	siku kila
captain of	a	uvuvi
licensed		ulipofanyika,

fishing vessel	kiasi cha	
shall maintain	samaki	
on board a	waliomo	
fishing and	ndani ya	
landing log -	chombo kwa	
book, which	aina ya	
contain:-	samaki na	
a) daily	uzito katika	
records for	kilo, muda na	
each fishing	eneo la uvuvi	
operation,	walipovuliwa.	
catches	(b) Makisio ya	
retained	jumla ya kiasi	
onboard by	cha samaki	
species in	waliovuliwa	
weight	tangu kuanza	
kilograms,	kwa shughuli	
time and	ya uvuvi	
fishing	(c) Aina na	
ground;	idadi ya	
(b) cumulative	nyavu	
estimate of	zilizotumika.	
fish catch	(d) <b>Idadi ya</b>	
since the	shughuli za	
commence	uvuvi	
ment of	zilizofanyika	
fishing	kwa siku na	
operation;	kiasi cha	
(c) types	muda	
and number	unaotumika	
of gears used;	kwa kila	
d) number of	shughuli ya	
fishing	uvuvi, eneo la	

		operations per day and duration of time that the fishing is deployed during each fishing operation;fis hing location, longitudes and latitudes.		uvuvi kwa longitudi na latitudi. (e)	
Power to prosecute Act No. 9 of 1985	34. For the purpose of enforcing the provisions of this Act and any subsidiary legislation made under this Act, an authorized officer may, subject to the direction of the Director of Public Prosecutions, conduct any prosecution for any offence under this Act or regulations made under this Act and shall for that purpose have all the powers conferred upon a Public Prosecutor by the Criminal Procedure Act.	This Section is Retained	34. Kwa madhumuni ya utekelezaji wa Sheria hii na Kanuni zake, Afisa aliyeruhusiwa anaweza kwa maelekezo ya Mkurugenzi wa Mashtaka kuendesha mashtaka kwa kosa lolote lililotendwa kwa mujibu wa Sheria hii au Kanuni zilizotungwa chini ya Sheria hii na katika kutekeleza kazi hiyo atakuwa na mamlaka yote ya Mwendesha		

Certificate of evidence	35-(1) An authorized officer shall record "certificate of evidence" Describing the scene and other particulars of the crimes as evidence.  (2) Use of computer or electronic or stored information may be produced as evidence in a court of law.	Principal Ac amended by deleting Section 35	s Mamlaka atachukua	Certificate of evidence	35(1) An authorized officer shall record "certificate of evidence" describing the scene and other particulars of the crimes as evidence.  (2) Use of computer or electronic or stored information may be produced as evidence in a court of law.
Power of search and seizure	36.An authorized officer may with or without warrant as it may be appropriate-  (a) board and search any vessel, vehicle or any part	Retained	36.Afisa mwenye Mamlaka akiwa au bila hati ya upekuzi kwa kadri itakavyoonekana inafaa:  (a) kuingia na		

kufanya upekuzi
katika chombo
chochote cha kwenye
maji, gari, au sehemu
ya chombo au gari
hilo
(b) kuingia jengo
lolote au sehemu
yeyote
(c) kuzuia, kuondoa
na kushikilia samaki,
mimea ya kwenye
maji, Mazao
yatokanayo na
samaki, Mazao
yatokanayo na mimea
ya kwenye maji,
nyavu au kitu
chochote
kitakachokutwa
katika chombo cha
uvuvi au gari au
katika jengo, mahali
au majengo ambayo
Afisa ataona kuna
kosa limetendeka
kwa mujibu wa
Sheria hii au Kanuni
zilizotungwa kwa
Mujibu wa Sheria hii
ili kupata ushahidi
unaohusiana na kosa

			1:1:1 stor dolo		
			lililotendeka		
			(1) 17 1		
	(d) arrest any person whom		(d) Kumkamata mtu		
	he, reasonable suspects of		yeyote		
	having committed an		anayemtuhumu		
	offence under this Act or		kwamba ametenda		
	any subsidiarylegislation		kosa au yupo mbioni		
	made under this Act or of		kutenda kosa kwa		
	being about to commit any		mujibu wa Sheria hii		
	such offence.		au Kanuni		
			zilizotungwa kwa		
			mujibu wa Sheria hii		
Seizure of	37. Whatever it is lawful	The principal	37. Kwa, mujibu wa	Sheria	Seizure of
things	under this Act for the	act is amended	Sheria hii,	inafanyiwa	things used
used	Director or an	by modifying	Mkurugenzi au Afisa	marekebisho	for
for	authorized officer or a	Section 37 to	aliyeruhusiwa au	kwa kuboresha	commission
commissio	police officer to seize and	read:-	Afisa wa Polisi	Kanuni ya 37	of
n	retain any fish, fish		itakuwa halali:-	kusomeka:	offence
of	product, aquatic flora or		(a) Kukamata na		
offence	product of aquatic flora or	Whatever it is	Kushikilia:	Ikiwa	
	other article or	lawful under	(i) Chombo chochote	inaruhusiwa	
	thing, it shall be lawful-	this Act for the	cha uvuvi, gari lenye	kisheria kwa	
	to seize an	Director or an	mazao ya samaki,	mujibu wa	
	(i) any receptacle other than	authorized	mimea ya kwenye	Sheria hii,kwa	
	a vessel or vehicle, in which	officer or a	maji na mazao yake	Mkurugenzi	
	such	police officer	au kitu chochote.	au Afisa	
	fish product, aquatic flora,	to seize and		Mwenye	
	product of aquatic flora or	retain any fish,		Mamlaka au	
	other	fish product,		Afisa wa	
	article or thing is	aquatic flora		Polisi	
	committed;	or product of		kukamata na	
	(ii) any machinery	aquatic flora		kushikilia	
	including propellant	or other	(ii) Mashine	Samaki	

machinery of a vessel or	article or	yoyote ikijumuiasha	wowote,
vehicle, implement, utensil,	thing, it shall	mashine inayokifanya	Mazao
material or substance used	be lawful;	chombo cha kwenye	yatokanayo
for	(a) to seize and	maji au gari	na Samaki,
the commission of any	retain;	kujongea, Kifaa,	Mimea ya
offence under this Act or	(i) Any	chombo, kitu	kwenye Maji
under any	receptacle	kilichotumika	au chombo au
subsidiary legislation made	including	kutenda kosa kwa	kitu chochote,
hereunder;	a vessel or	mujibu wa Sheria hii	Itakuwa halali
	vehicle or	au Kanuni	kwa Mujibu
(iii) any book of account or	other	zilizotungwa kwa	wa Sheria:
other document which	article or	mujibu wa Sheria hii.	(a) Kukamata
appears to	<b>thing</b> in		na Kushikilia
him to contain evidence that	which such		(i)Chombo
an offence has been or is	fish,		chochote
about	fishery		ikiwemo
to be committed under this	product,	(iii) Kitabu	chombo cha
Act or any subsidiary	aquatic	chochote cha	uvuvi au gari
legislation	flora <b>and</b>	kumbukumbu za	au kifaa au
made hereunder;	fauna,	mahesabu au nyaraka	chochote
	product of	yoyote anayoona	ambacho
(b) to direct any vessel or	aquatic	itakuwa na ushahidi	Samaki hao
vehicle in which any fish,	flora <b>and</b>	kwamba kosa	mazao ya
fish product,	fauna are	limetendeka au	uvuvi, mimea
aquatic flora or product of	contained	linakaribia kutendeka	ya kwenye
aquatic flora or other article	or	chini ya sheria hii au	maji na mazao
or thing	transporte	kanuni zilizotungwa	ya mimea ya
is seized in accordance with	d;	chini ya sheria hii	kwenye maji
the provisions of section 40		(b)Kuamuru	yalikiwemo au
or of		chombo chochote	kusafirishwa.
paragraph (a) of this	(ii)any	cha kwenye maji au	(ii)Mashine
section, to proceed to such	machinery	gari ambalo	yeyote
port or place in	including	limekamatwa na	ikijmuiaha

the country as may be	propellant	samaki, mazao ya	mashine
convenient for unloading	machinery of	samaki, mimea ya	inayokifanya
from the vessel	a vessel or	kwenye maji na	chombo cha
or vehicle such fish, fish	vehicle,	mazao yake au	kwenye maji
product, aquatic flora or	implement,	chombo chochote	au gari
product of	utensil,	kilichokamatwa	kujogea, Kifaa,
aquatic flora or other article	material or	kwa mujibu wa	chombo, kitu
or thing seized thereon, and	substance	Kifungu cha 40 au	kilichotumika
may	used for the	kwa mujibu wa	kutenda kosa
then detain the vessel or	commission of	kifungu (a) cha	kwa mujibu wa
vehicle for such time as	any offence	Kifungu hiki.	Sheria hii au
may reasonably	under this Act	Kuelekea katika	Kanuni
be required to effect the	(iii) any book	bandari iliyo karibu	zilizotungwa
unloading;	of account or	au mahali ndani ya	kwa muijibu
(c) all things seized shall be	other document	nchi ili kupakua	wa Sheria hii.
recorded in the seizure from	which appears	samaki, mimea ya	(iv) Kuamu
filed in	to him to	kwenye maji na	ru chombo
triplicate, the first copy of	contain	mazao yake au kitu	chochote cha
which shall be served upon	evidence that	chochote	kwenyeb maji
the	an offence has	kilichokamatwa	au gari ambayo
suspect and the second copy	been or is about	kutoka kwenye	ilikamatwa na
to be produced in court as	to be	chombo cha	samaki, mazao
evidence	committed	kwenye maji, gari	ya samaki,
and the third copy shall be	under this Act	na anaweza kuzuia	mimea ya
filed for office reference.	or any	chombo hicho au	kwenye maji
	subsidiary	gari kwa muda	au mazao ya
	legislation	unaotosha kupakua	mimea ya
	made	mazao hayo.	kwenye maji
	hereunder;	(c) Vitu vyote	au chombo
	(b) to direct any	vilivyokamatwa	chochote
	vessel or	vitaorodheshwa	kilichokamatw
	vehicle in	katika fomu ya	a kwa
	which any fish,	ukamataji kwa	ilivyoelezwa

fish product,	kujaza nakala tatu	katika Kifungu
aquatic flora or	ambapo nakala ya	cha 40 au
product of	kwanza atapatiwa	katika kifungu
aquatic flora or	Mtuhumiwa, nakala	cha (a) cha
other article or	ya pili itatolewa	Kifungu hiki.
thing is seized	kama ushahidi	(b) kuelekea
in accordance	mahakamani na	katika bandari
with the	nakala ya tatu	iliyo karibu au
provisions of	itatunzwa kwa ajili	mahali ndani
section 40 or of	ya kumbukumbu za	ya nchi
paragraph;	kiofisi.	ambapo
(a) of this		itawezesha
section, to		kupakua
proceed to such		samaki hao,
port or place in		mazao ya
the country as		samaki, mimea
may be		ya kwenye
convenient for		maji na mazao
unloading from		ya mimea ya
the vessel or		kwenye maji
vehicle such		au kitu
fish, fish		chochote
product,		kilichokamatw
aquatic flora or		a kutoka
product of		kwenye
aquatic flora or		chombo cha
other article or		kwenye maji,
thing seized		gari na
thereon, and		anaweza
may then detain		kuzuia chombo
the vessel or		hicho au gari
vehicle for such		kwa muda
time as may		unaohitaji na

	T		I	T
		reasonably be		unaokubalika
		required to		kwa ajili ya
		effect the		kupakua.
		unloading;		(a) Vitu vyote
		(c) all things		vilivyokamatw
		seized		a
		shall be		vitaorodheshw
		recorded in		a katika fomu
		the seizure		ya ukamataji
		form filled		kwa kujaza
		in		nakala tatu
		triplicate,		ambapo nakala
		the first		ya kwanza
		copy of		atapatiwa
		which shall		Mtuhumiwa,
		be served		nakala ya pili
		upon the		itatolewa kama
		suspect		ushahidi
		and the		mahakamani
		second		na nakala ya
		copy to be		tatu itatuzwa
		produced		katika faili kwa
		in court as		rejea za kiofisi.
		evidence		l legeu zu merisi.
		and the		
		third copy		
		shall be		
		filed for		
		office		
		reference.		
Forfeiture	38(1) Where a Magistrate	The principal	38(1) Pale ambapo	Sheria
of things	is satisfied that an offence	act is amended	Hakimu ataridhika	inafanyiwa
used for	under this	by modifying	kuwa kosa	marekebisho
useu 101	unuci uns	oy mounying	Kuwa Kusa	marekeuisno

commissio	Act or subsidiary legislation	Section 38.	li	imetendeka kwa	kwa kuboresha	
n	made under this Act has		n	nujibu wa Sheria hii	Kifungu cha	
of	been committed		a	u Kanuni	38.	
offence	in respect of any fish, fish	<b>38</b> . (1) Where a	Z	zilizotungwa kwa	38(1) Pale	
	product, aquatic flora, or	Magistrate	N	Mujibu wa Sheria hii	ambapo	
	any other article or	is satisfied	k	kuhusu samaki na	Hakimu	
	thing seized under the	that an	n	nazao yake mimea	ataridhika	
	provisions of sections 36 or	offence	у	a kwenye maji na	kuwa kosa	
	this section, whether	under this	n	nazao yake au	limetendeka	
	or not any person has been	Act or	c	chombo au kitu	kwa Mujibu	
	convicted in respect of such	subsidiary	c	chochote	wa Sheria hii	
	offence, the	legislation	k	xilichokamatwa kwa	au Kanuni	
	Magistrate may order such	made	n	nujibu wa Kifungu	zilizotungwa	
	fish, fish product or aquatic	under this	c	cha 36 au Kifungu	kwa mujibu wa	
	flora, product	Act has	h	niki ikiwa au hakuna	Sheria hii	
	of aquatic flora or any other	been		ntu yeyote aliyetiwa	kuhusu samaki,	
	article or thing, to be	committed	h	natiani kwa kosa hilo,	mazao ya	
	forfeited to the	in respect	H	Hakimu anaweza	uvuvi, mimea	
	Government.	of any	k	kuamuru samaki hao,	ya kwenye	
	(2) Notwithstanding	fish,		nazao ya samaki,	maji au	
	anything contained in	fishery		nimea ya kwenye	chombo au kitu	
	subsection (1), where	product,		naji au kifaa au kitu	chochote	
	any fish, fish product,	aquatic	c	chochote kutaifishwa	kilichokamatw	
	aquatic flora or product of	flora <b>and</b>		na kuwa mali ya	a kwa mujibu	
	aquatic flora is seized	<b>fauna</b> or	S	Serikali.	wa Kifungu	
	under section 36 of this Act,	any other			cha au	
	the authorized officer may,	article or	,	2)Bila kuathiri	Kifungu hiki	
	if he is	thing	•	aliyomo katika	ikiwa au	
	satisfied that the fish, fish	seized		Kifungu Kidogo cha	hakuna mtu	
	product, aquatic flora or	under the		1) Afisa Mwenye	yeyote	
	product of aquatic	provisions		Mamlaka akiridhika	aliyetiwa	
	flora, aquatic flora or	of		kuwa samaki na	hatiani kwa	
	product of aquatic flora is	Sections	n	nazao yake, mimea	kosa hilo,	

of a		ya kwenye maji na	Hakimu
perishable nature, cause the	and		anaweza
same to be sold or	or this		kuamuru
otherwise disposed of	section	• •	samaki hao,
prior to application being	whether or	"	mazao ya
made for its forfeiture under	not any		samaki, mimea
subsection (1).	person has		na wanyama
	been		wa kwenye
(3) Where any fish, fish	convicted		maji au injini,
product, aquatic flora or	in respect		magari, au
product of aquatic	of such	•	chombo cha
flora is sold pursuant to the	offence,	-	Uvuvi kifaa au
provisions of sub-section	the	mujibu wa kifungu	kitu chochote
(2), an	<b>M</b> agistrate	kidogo cha (1).	kutaifishwa na
application for the disposal	shall order		kuwa mali ya
of the proceeds of the sale	such fish,	(3)Pale ambapo	Serikali.
shall be made to	fish <b>ery</b>	samaki, mazao ya	
a Magistrate, and upon such	product,	uvuvi, mimea ya	
application being made, if	aquatic	kwenye maji au	
the Magistrate	flora <b>and</b>	mazao ya mimea ya	
is satisfied that-	fauna,	kwenye maji na	
(a) an offence has been	product of	mazao yake yakiuzwa	
committed in respect of the	aquatic	kwa mujibu wa	
article to	flora <b>and</b>	kifungu kidogo cha	
which the proceeds related,	fauna,	(2), maombi ya kutoa	
whether or not any person	engines,	fedha zilizopatikana	
has	vehicles	kutokana na mauzo	
been convicted, the	or fishing	yatawasilishwa kwa	
Fisheries Development	vessels or	<u> </u>	(2) Bila
Fund or;	any other	1 -	kuathiri
(b) no such offence has	article or		yaliyomo
been committed in respect	thing, to		katika Kifungu
of the article	be	kuwa:	Kidogo cha (1)

to which the proceeds	forfeited	(a) Kosa limetendeka	Afisa Mwenye
relates, whether or not any	to the	kuhusu kitu husika	Mamlaka
person has	Governme	ikiwa kuna mtu au	akiridhika
been convicted of the	nt;	hakuna mtu aliyetiwa	kuwa samaki,
offence, he may order the		hatiani ataamuru	mazao ya
proceeds to		fedha iliyopatikana	samaki, mimea
be paid to the offender, he		ilipwe katika Mfuko	ya kwenye
shall, upon the application		wa Maendeleo ya	maji na mazao
made by	(2)	Uvuvi( Fisheries	yake,
any person claiming to be	Notwithsta	Development Fund).	yaliyokamatwa
the owner of such article or	nding <b>the</b>		kwa Mujibu
thing	provision	(b) Pale ambapo	wa Kifungu
and upon being satisfied as	of	hakuna kosa	cha 36 cha
to the validity of the claim-	subsection	lililotendeka	Sheria hii ni
(i) order such proceeds to	(1) where	kuhusiana na fedha	wenye asili ya
be paid the claimant; or	any <b>illegal</b>	husika, iwapo kuna	kuharibika kwa
(ii) if no claim is made or	fishing	mtu au hakuna mtu	haraka,
the Magistrate is not	gear, fish,	aliyetiwa hatiani kwa	atafanya
satisfied as	fishery	kosa husika anaweza	utaratibu wa
to the validity of the claim,	product,	kuamuru fedha	kuuzwa au
order the proceeds to be	aquatic	iliyopatikana kwa	kutolewa kabla
paid	flora <b>and</b>	mauzo baada ya	ya kupeleka
into the Fisheries	<b>fauna</b> or	kupokea maombi ya	maombi ya
Development Fund.	product of	mtu anayedai kuwa	kutaifisha kwa
	aquatic	mmiliki wa kifaa	mujibu wa
	flora <b>and</b>	hicho akiridhika juu	kifungu kidogo
	<b>fauna</b> is	ya uhalali wa madai :.	cha (1).
	seized	(i)Ataamuru kiasi	
	under	hicho cha fedha	(3)Pale
	Sections	kilipwe kwa mdai.	ambapo
	and		samaki, mazao
	or	(ii) Iwapo hakuna	ya uvuvi,
	this section	madai	mimea ya

the	volivovosilishwa au	Izzvenye meji
	yaliyowasilishwa au	kwenye maji
authorized	hakimu hataridhika	au mazao ya
officers. If	na madai ataagiza	mimea ya
he is	kiasi cha fedha	kwenye maji
satisfied	kulipwa katika	wakiuzwa kwa
that the	Mfuko wa Maendeleo	mujibu wa
fish,	ya Uvuvi(Fisheries	Kanuni ndogo
fishery	Development Fund).	cha (2)
product,	39-(1) Pale ambapo	maombi ya
aquatic	kuna kutiwa hatiani	kutoa fedha
flora and	kwa kosa	zilizopatikana
fauna or	lililotendeka kwa	kutokana na
product of	Mujibu wa Sheria hii	mauzo
aquatic	au Kanuni yeyote	yatawasilishwa
flora and	iliyowekwa chini ya	kwa Hakimu
fauna is of	Sheria hii na	ambapo baada
a	mahakama kuridhika	ya maombi
perishable	kuwa chombo	kuwasilishwa,
nature,	chochote cha kwenye	hakimu
shall cause	maji au gari ilitumika	akiridhika
the same	katika kutenda kosa,	kuwa:
to be sold	inaweza kuamuru	(c) Kosa
or	kutaifishwa kwa	limetendeka
otherwise	chombo au gari	kuhusu kitu
disposed	husika na kuwa mali	husika ikiwa
off prior to	ya Serikali.	kuna mtu au
application	39(2) Hakuna amri	hakuna mtu
being	itakayotolewa kwa	aliyetiwa
made for	mujibu wa Kifungu	hatiani
its	· ·	ataamuru fedha
forfeiture	Kidogo (1) iwapo	
	mmiliki wa chombo	iliyopatikana
under	hicho au gari	ilipwe katika
subsection	atathibitisha kuwa	Mfuko wa

	(1).	chombo au gari	Maendeleo ya
	` '	_	, , , , , , , , , , , , , , , , , , ,
(.	3) Where any	lilitumika bila ya	Uvuvi(
	fish, fish	yeye kufahamu au	Fisheries
	product,	kuridhia.	Development
	aquatic		Fund).
	flora or	40(1)Mkurugenzi au	
	product of	Afisa yeyote Mwenye	(d) Pale
	aquatic	Mamlaka akiridhika	ambapo
	flora is	kuwa mtu ametenda	hakuna kosa
	sold	kosa lolote	lililotendeka
	pursuant	lililoorodheshwa	kuhusiana na
	to the	katika Jedwali katika	fedha husika,
	provisions	Sheria hii and iwapo	iwapo kuna
	of sub-	mhusika atakiri	mtu au hakuna
	section	kutenda kosa na	mtu aliyetiwa
	(2), an	kukiri kwa maandishi	hatiani kwa
	applicatio	na kukubali kwa	kosa husika
	n for the	maandishi	anaweza
	disposal of	kushughulikiwa kwa	kuamuru fedha
	the	mujibu wa Kifungu	iliyopatikana
	proceeds	hiki:	kwa mauzo
	of the sale	(a) Kutoza faini kwa	baada ya
	shall be	kosa kwa kupokea	kupokea
	made to a	kiasi cha fedha	maombi ya
	Magistrate	kisichozidi shilingi	mtu anayedai
	, and upon	elfu mia moja.	kuwa mmiliki
	such	(b) Ataamuru	wa kifaa hicho
	applicatio	kuachiwa kwa	akiridhika juu
	n being	chombo au kitu	ya uhalali wa
	made, if	chochote	madai
	the	kilichokamatwa kwa	ataamuru:.
	Magistrate	kuhusika na kosa kwa	(i)Ataamuru
	is satisfied	kulipa kiasi cha fedha	kiasi hicho cha
	15 Sausticu	Kumpa Kiasi Cha iEulia	Kiasi incho cha

11 4	1_1_1 _ 1_1 1_1 _ 1_1 1	C- 41 1-11:
that:-	kisichozidi thamani	fedha kilipwe
(a)An offence	ya chombo au ikiwa	kwa mdai.
` '	thamani ya chombo	a
has been	hicho ni ndogomtu	(ii) Iwapo
committed in	huyo atawajibika	hakuna madai
respect of the	kulipa faini	yaliyowasilish
article to	isiyopungua shilingi	wa au hakimu
which that	elfu kumi kwa	hataridhika na
proceeds	kuzingatia kuwa	madai agiza
related,	nyavu haitarudishwa.	kiasi cha fedha
whether or	(2) Ivyono maskitalia	kulipwa katika
	(2)Iwapo mashitaka	Mfuko wa
not any	yataletwa dhidi ya mtu kuhusu kosa kwa	Maendeleo ya Uvuvi(Fisherie
person has		`
been	mujibu wa Sheria hii, itakuwa utetezi iwapo	s Development Fund).
convicted <b>he</b>	mtu husika	runa).
may order	atadhibitisha kuwa	
the Proceeds	kosa husikalilitozwa	
to be paid to	faini kwa mujibu nwa	
Fisheries	Kifungu hiki.	
Development		
Fund or;	(A) P. 1	
	(4) Pale ambapo mtu	
	yeyote ataona	
	ameonewa kuhusu	
(b) No	amri iliyotolewa kwa	
such	mujibu wa Kifungu	
offence has	Kidogo cha (3)	
been	anaweza katika	
committed	kipindi cha siku	
	thelathini baada ya	
in respect	amri hiyo kutolewa	

of the	atakata rufaa kuhusu
article to	amri <b>hiyo katika</b>
which the	mahakama ya juu
	na masharti ya
proceeds	Sheria ya makosa ya
relates,	jinai kwa kuzingatia
whether or	mutandis mutandis
not any	kwa kila rufaa
person has	kama vile rufaa
been	kuhusu hukumu
convicted	iliyotolewa katika
of the	mahakama ya
offence, he	Wilaya katika eneo
may order	la mamlaka yake.
the	(4)Afisa yeyote
proceeds to	mwenye Mamlaka
1	aliyetoza faini
be paid to	anatakiwa
the	kuwasilisha kwa
offender, he	Mkurugenzi orodha
shall, upon	ya makosa
the	yaliyotozwa faini.
application	(5) Mkurugenzi kila
made by	baada ya miezi mitatu
any person	atawasilisha kwa
claiming to	Mkurugenzi wa
e the owner	Makosa ya Jinai
of such	marejesho ya taarifa
article or	ya makosa
	yaliyotozwa faini
thing and	kwa kutumia fomu
upon being	itakayotolewa na

satisfied as to the validity of the claim:- (i) order such proceeds to be paid the claimant; orif no claim is made or the Magistrate is not satisfied as	Mkurugenzi wa Makosa ya Jinai. (6) Kifungu hiki kitatumika kwa kila kosachini ya Sheria hii au chini ya Kanuni zilizotungwa chini ya Sheria hii kwa kosa ambalo kiwango cha chini cha hukumu kimetajwa.	(iii)	Afisa mweny e Mamla ka baada
proceeds to be paid into the Fisheries			idhini kwa ajili ya kuteket eza vitu
Developme nt Fund (ii)Authorize			vilivyo kamatw a ambayo
dOfficer shall after filling			itakuwa ushahid i wa

Fisheries	tukio la
Inventory	awali
Form which	wa zana
shall be <i>prima</i>	zozote
facie evidence	haramu, Samaki
prior to	au
approval by	Mazao
the	ya
Magistrate	Uvuvi
dispose off	yaliyok
any illegal	amatwa
fishing gears,	na Izvetalvet
fish or fishery	kuteket
products	ezwa.
seized;	
Scizeu,	
(4)	
Notwithstandi	
ng sub section	(4)Bila kuathiri
3(iii) the costs	Kifungu
of disposal for	Kidogo cha
fish found unfit for	3(iii) gharama
human	za kuteketeza zitalipwa na
consumption	mtumhumiwa
and illegal	incammann wa
gears shall be	
borne by	
accused	
person.	

E C- :4	20 (1) Wil	D-4-11	20(1) V :::1		Forfeiture
Forfeiture	39(1) Where, upon	Retained	39(1) Kwa mujibu wa		
upon	conviction for an offence		sheria hii au kanuni		upon
conviction	under this Act or any		inayotekeleza sheria		conviction
	subsidiary legislation made		hii, iwapo Mahakama		
	under this Act, the court is		itajiridhisha kuwa		
	satisfied that any		chombo chochote cha		
	vessel or vehicle was used		uvuvi au gari		
	in the commission of the		kilitumika Kutenda		
	offence, the court		Kosa, Mahakama		
	may order such vessel or		inaweza kuamuru		
	vehicle to be forfeited to the		chombo hicho au gari		
	Government.		kutaifishwa na kuwa		
			mali ya Serikali.		
			man ya senkan.		
	(2) No order made under		(2)Hakuna amri		
	subsection (1) shall be		itakayotolewa kwa		
	made if the owner		Mujibu wa Kifungu		
	of such vessel or vehicle		_		
			Kidogo cha (1) iwapo mmiliki wa Chombo		
	satisfied the court that the				
	vessel or vehicle was		au gari atairidhisha		
	Used without his		mahakama kuwa		
	knowledge or consent.		chombo au gari		
			lilitumika bila		
			ufahamu au ukubali		
			wa Mmiliki.		
				(2)Kwa	
		(2)Subject to		Mujibu wa	
		provision of		Kifungu	
		order made		Kidogo cha (1)	
		under		iwapo mmiliki	
		subsection (1),		wa Chombo au	
		if the owner of		gari	
		such vessel or		atairidhisha	

		vehicle satisfies		mahakama	
		the court that		kuwa chombo	
		the vessel or		au gari	
		vehicle was		lilitumika bila	
		used without		ufahamu wake	
		his knowledge		mahakama	
		or consent the		itaamuru alipe	
		court may order		faini kama	
		the owner to		ilivyoelekeza	
		pay a fine as		kwenye	
		specified in		kifungu 47	
		section 47		Kiluligu 47	
	40(1) The Director or any	The principal	40(1).Mkurugenzi au	40(1) Sheria	
	authorized officer may, if	Act is amended	Afisa Aliyeruhusiwa	inafanyiwa	
	he is satisfied	by modifying	anaweza akiridhika	marekebisho	
Power to	that a person has committed	Section 40 to	kuwa mtu ametenda	kwa kuboresha	Power to
compound	any of the offence listed in	read:-	kosa loloteb	Kanuni ya 40	compound
offences	the Schedule to	1044.	lililoorodheshwa	kusomeka:	offences
	this Act and if the person	(1) The	katika jedwali la	(1)Mkurugenzi	
	admits the commission of	Director or	Sheria hii na mhusika	au Afisa	
	the offence and	any	kukiri kosa na	Aliyeruhusiwa	
	agrees in writing to its	authorized	kukubali kwa	anaweza	
	being dealt with under this	officer may,	maandishi kwamba	akiridhika	
	section-	if he is	ametenda kosa kwa	kuwa mtu	
	(a) compound the offence	satisfied	Mujibu wa	ametenda kosa	
	by accepting a sum of	that a	kifungu hiki:	lolote	
	money not exceeding	person has	<i>5</i>	lililoorodhesh	
	one hundred thousand	committed	(a) Atatoza faini isiyo	wa katika	
	shillings;	any of the	zidi shilingi laki	jedwali la	
	(b) order the release of any	offence	moja.	Sheria hii na	
	vessel or any other thing,	listed in the	(b) Ataamuru chombo	mhusika kukiri	
	seized in	Schedule to	au kitu chochote	kosa na	
	connection with the offence	this Act and	kilichokamatwa	kukubali kwa	

on p	payment of a sum of	if the	kuhusiana na kosa	maandishi	
mone	ey not	person	hilo kuachiwa baada	kutenda kosa	
exce	eding the value of the	admits the	ya kulipa kiasi cha	hilo:	
vesse	el or if the value of	commission	fedha kisichozidi		
such	a thing	of the	thamani ya chombo	(a) Atatoza	
is s	mall, such person be	offence and	na iwapo chombo	faini kwa kosa	
liable	e to pay a fine of not	agrees in	hicho ni kidogo mtu	hilo kwa	
less	than ten	writing to	huyo atawajibika	kupokea kiasi	
thous	sand shillings, provided	its being	kulipa faini	cha fedha	
that,	any gear shall not be	dealt with	isiyopungua shilingi	ambacho ni	
relea	ised.	under this	elfu kumi na zana	sawa na kiasi	
(2)	Where proceedings are	section;	hiyo itataifishwa	ambacho	
brou	ght against any person	(a) Compound		kingetozwa	
for a	n offence	the offence by	(2)Iwapo mashtaka	iwapo	
unde	er this Act, it shall be a	accepting a	yataletwa kuhusu	mtuhumiwa	
good	l defence if the person	sum of money	Mtu yeyote kwa kosa	angetiwa	
prov	es that the	equivalent to	lolote chini ya Sheria		
offer		the amount	hii itakuwa kinga		
comp	pounded under this	would be liable	(utetezi) iwapo kosa	katika	
secti	on.	in case the	husika lilitozwa faini	Mahakama	
	Where any person is	offender would	kwa Mujibu wa		
	ieved by an order made	be convicted	sheria hii.	(b) Bila	
unde	er	and fined by		kuathiri	
	ection (3), he may	the Court of	(1) (3)Iwapo	kifungu (a)	
with	in thirty days of such	Law.	mashtaka yataletwa	ataamuru	
	r being made,	(b) Without	kuhusu Mtu yeyote		
	al against such order to	prejudice to sub	kwa kosa lolote chini		
	High Court and the	section (a)	ya Sheria hii itakuwa	chochote	
*	ision of the	order the	kinga (utetezi) iwapo	kilichozuiliwa	
	ninal Procedure Act in	release of any	kosa husika lilitozwa	kuhusiana na	
	ion to appeals shall	vessel or any	faini.	kosa	
** *	y mutatis	other thing,		lililotendeka	
muta	andis to every such	seized in	(3)Iwapo mtu yeyote	kwa kuzingatia	

the offence passed by a District Court in exercise of its own original jurisdiction.  (4) Any authorized officer who compounds an offence shall submit to the Director a list of compounded offences.  (5) The Director shall, at every three months and in such form as, the Director of Public Prosecutions may direct, submit to the Director of Public Prosecutions a return of all compounded offences.  (6) This section shall apply to any offence under this Act, or under any regulation made under of the offence provided that, any illegal gear as provided in this act or any subsidiary legislation made under this act shall not be released.  the offence provided that, any illegal gear as provided in this act or any subsidiary legislation made under this act shall not be released.  the offence provided that, any illegal gear as provided in this act or any subsidiary legislation made under this act or any subsidiary legislation made under this act shall not be released.  the offence provided that, any illegal gear as provided in this act or any subsidiary legislation made under this act or any subsidiary legislation made under this act shall not be released.  the offence provided in this at or any subsidiary legislation made under this act or any subsidiary legislation made under this act shall not be released.  the offence who; in the offence was kitka kipindi cha siku kipindi cha siku kipindi cha siku kutolewa anaweza kukata rufaa kukata rufaa Mahakama ya Wilaya katika kutekeleza Mamkaka aya Wilaya katika kutekeleza Mamkaka atakayetoza faini atatakiwa kuwasilisha kwa Mkurugenzi orodha ya makosa yaliyotozwa faini.  (5)Kila baada ya Micri mitatu, Mkurugenzi wa Uvuvi atawasilisha				
provided that, any illegal gear as provided in this act or any subsidiary legislation made under this act shall not be released.  (4) Any authorized officer who compounds an offence shall submit to the Director a list of compounded offences.  (5) The Director shall, at every three months and in such form as, the Director of Public Prosecutions may direct, submit to the Director of Public Prosecutions a return of all compounded offences.  (6) This section shall apply to any offence under this Act, or under any regulation made under  (2) Where wighting that, any illegal gear as provided in this act or any subsidiary legislation made under this act or any subsidiary subsidiary legislation who compounded in this act or any subsidiary legislation was the leathini tangu kutolewa anaweza kukata rufaa Mahakama Kuu kupinga Amri hiyo na kuwa Sheria ya Makosa ya Jinai itatumika kama vile hukumu ilitolewa na Mahakama ya Wilaya katika kutekeleza Mamlaka yake.  (4) Afisa mwenye Mamlaka atakayetoza faini atatakiwa kuwasilisha wa Wakurugenzi orodha ya makosa yaliyotozwa faini.  (5) Kila baada ya Miezi mitatu, Mkurugenzi wa Uvuvi atawasilisha	appeal as if it were an	connection with	I	
in exercise of its own original jurisdiction.  (4) Any authorized officer who compounds an offence shall submit to the Director a list of compounded offences.  (5) The Director shall, at every three months and in such form as, the Director of Public Prosecutions may direct, submit to the Director of Public Prosecutions a return of all compounded offences.  (6) This section shall apply to any offence under this Act, or under any regulation made under criminal provided in this act or any subsidiary legislation made under this act or shall on the leathini tangu kutolewa anaweza kutka sheria hii au kanuni zilizotungwa katika sheria hiii hazitarudishwa kuwa Sheria ya Makosa ya Jinai itatumika kama vile hukumu ilitolewa na Mahakama ya Wilaya katika kutekeleza Mamlaka yake.  (4) Afisa mwenye Mamlaka atakayetoza faini atatakiwa kuwasilisha kwa Mkurugenzi orodha ya makosa yaliyotozwa faini.  (5) This section shall apply to any offence under this Act, or under any regulation made under (2) Where				• •
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who compounds an offence shall submit to the Director a list of compounded offences.  (5) The Director shall, at every three months and in such form as, the Director of Public Prosecutions may direct, submit to the Director of Public Prosecutions a return of all compounded offences.  (6) This section shall apply to any offence under this Act, or under any regulation made under (2) Where the total made under this desirable with the legislation waturous to the Director of Public Prosecutions a return of all compounded offences.  (b) This section shall apply to any offence under this Act, or under any regulation made under (2) Where the legislation waturous anaweza kutkata rufaa kukata rufaa kuwa Sheria ya Makosa ya Jinai itatumika kama vile hukumu ilitolewa na Mahakama ya Wilaya katika kutekeleza Mamlaka yake.  (4) Afisa mwenye Mamlaka atakayetoza faini atatakiwa kuwasilisha kwa Mkurugenzi orodha ya makosa yaliyotozwa faini.  (5) Kila baada ya Miezi mitatu, Mkurugenzi wa Uvuvi atawasilisha	original jurisdiction.	as provided in	cha 3 anaweza katika	katika sheria
shall submit to the Director a list of compounded offences.  (5) The Director shall, at every three months and in such form as, the Director of Public Prosecutions may direct, submit to the Director of Public Prosecutions a return of all compounded offences.  (6) This section shall apply to any offence under this Act, or under any regulation made under (2) Where  legislation made under this act wholl not the birector of sact shall not be released.	(4) Any authorized officer	this act or any	kipindi cha siku	hii au kanuni
to the Director a list of compounded offences.  (5) The Director shall, at every three months and in such form as, the Director of Public Prosecutions may direct, submit to the Director of Public Prosecutions a return of all compounded offences.  (6) This section shall apply to any offence under this Act, or under any regulation made under  (5) The Director shall, at every three months and in such form as, the Director of Public Prosecutions are turn of all compounded offences.  (5) The Director shall, at every three months and in such form as, the Director of Public Prosecutions a return of all compounded offences.  (5) The Director shall, at eact shall not be released.  (6) This section shall apply to any offence under this Act, or under any regulation made under  (6) This section shall apply to any offence under this Act, or under any regulation made under	who compounds an offence	subsidiary	thelathini tangu	zilizotungwa
compounded offences. (5) The Director shall, at every three months and in such form as, the Director of Public Prosecutions may direct, submit to the Director of Public Prosecutions a return of all compounded offences.  (6) This section shall apply to any offence under this Act, or under any regulation made under  (5) The Director shall, at every three months and in such form as, the Director of Public Prosecutions are turn of all compounded offences.  (6) This section shall apply to any offence under this Act, or under any regulation made under	shall submit	legislation	kutolewa anaweza	katika sheria
(5) The Director shall, at every three months and in such form as, the Director of Public Prosecutions may direct, submit to the Director of Public Prosecutions a return of all compounded offences.  (6) This section shall apply to any offence under this Act, or under any regulation made under (2) Where  kupinga Amri hiyo na kuwa Sheria ya Makosa ya Jinai itatumika kama vile hukumu ilitolewa na Mahakama ya Wilaya katika kutekeleza Mamlaka yake.  (4) Afisa mwenye Mamlaka atakayetoza faini atatakiwa kuwasilisha kwa Mkurugenzi orodha ya makosa yaliyotozwa faini.  (5)Kila baada ya Miezi mitatu, Mkurugenzi wa Uvuvi atawasilisha	to the Director a list of	made under this	kukata rufaa	hii
every three months and in such form as, the Director of Public Prosecutions may direct, submit to the Director of Public Prosecutions a return of all compounded offences.  (4) Afisa mwenye Mamlaka yake.  (4) Afisa mwenye Mamlaka atakayetoza faini atatakiwa kuwasilisha kwa Mkurugenzi orodha ya makosa yaliyotozwa faini.  (5) Kila baada ya to any offence under this Act, or under any regulation made under  (2) Where	compounded offences.	act shall not	Mahakama Kuu	hazitarudishwa
such form as, the Director of Public Prosecutions may direct, submit to the Director of Public Prosecutions a return of all compounded offences.  Makosa ya Jinai itatumika kama vile hukumu ilitolewa na Mahakama ya Wilaya katika kutekeleza Mamlaka yake. (4) Afisa mwenye Mamlaka atakayetoza faini atatakiwa kuwasilisha kwa Mkurugenzi orodha ya makosa yaliyotozwa faini.  (6) This section shall apply to any offence under this Act, or under any regulation made under (2) Where	(5) The Director shall, at	be released.	kupinga Amri hiyo na	
such form as, the Director of Public Prosecutions may direct, submit to the Director of Public Prosecutions a return of all compounded offences.  Makosa ya Jinai itatumika kama vile hukumu ilitolewa na Mahakama ya Wilaya katika kutekeleza Mamlaka yake. (4) Afisa mwenye Mamlaka atakayetoza faini atatakiwa kuwasilisha kwa Mkurugenzi orodha ya makosa yaliyotozwa faini.  (6) This section shall apply to any offence under this Act, or under any regulation made under (2) Where	every three months and in		kuwa Sheria ya	
Prosecutions may direct, submit to the Director of Public Prosecutions a return of all compounded offences.    hukumu ilitolewa na Mahakama ya Wilaya katika kutekeleza Mamlaka yake. (4) Afisa mwenye Mamlaka atakayetoza faini atatakiwa kuwasilisha kwa Mkurugenzi orodha ya makosa yaliyotozwa faini.    (6) This section shall apply to any offence under this Act, or under any regulation made under (2) Where   Where   Where   Uvuvi atawasilisha	1 · · · · · · · · · · · · · · · · · · ·		•	
submit to the Director of Public Prosecutions a return of all compounded offences.  Mahakama ya Wilaya katika kutekeleza Mamlaka yake.  (4) Afisa mwenye Mamlaka atakayetoza faini atatakiwa kuwasilisha kwa Mkurugenzi orodha ya makosa yaliyotozwa faini.  (5)Kila baada ya Miezi mitatu, Mkurugenzi wa any regulation made under (2) Where	Director of Public		itatumika kama vile	
submit to the Director of Public Prosecutions a return of all compounded offences.  Mahakama ya Wilaya katika kutekeleza Mamlaka yake.  (4) Afisa mwenye Mamlaka atakayetoza faini atatakiwa kuwasilisha kwa Mkurugenzi orodha ya makosa yaliyotozwa faini.  (5)Kila baada ya Miezi mitatu, Mkurugenzi wa any regulation made under (2) Where	Prosecutions may direct,		hukumu ilitolewa na	
of all compounded offences.  Mamlaka yake.  (4) Afisa mwenye Mamlaka atakayetoza faini atatakiwa kuwasilisha kwa Mkurugenzi orodha ya makosa yaliyotozwa faini.  (6) This section shall apply to any offence under this Act, or under any regulation made under (2) Where  Mamlaka yake.  (4) Afisa mwenye Mamlaka atakayetoza faini atatakiwa kuwasilisha wa Mkurugenzi orodha ya makosa yaliyotozwa faini.  (5)Kila baada ya Miezi mitatu, Mkurugenzi wa Uvuvi atawasilisha	submit to the Director of		Mahakama ya Wilaya	
offences.  (4) Afisa mwenye Mamlaka atakayetoza faini atatakiwa kuwasilisha kwa Mkurugenzi orodha ya makosa yaliyotozwa faini.  (5) Kila baada ya Miezi mitatu, Miezi mitatu, Mkurugenzi wa any regulation made under (2) Where	Public Prosecutions a return		katika kutekeleza	
Mamlaka atakayetoza faini atatakiwa kuwasilisha kwa Mkurugenzi orodha ya makosa yaliyotozwa faini.  (6) This section shall apply to any offence under this Act, or under any regulation made under (2) Where Mamlaka atakayetoza faini atatakiwa kuwasilisha (5)Kila baada ya Mkurugenzi mitatu, Mkurugenzi wa Uvuvi atawasilisha	of all compounded		Mamlaka yake.	
faini atatakiwa kuwasilisha kwa Mkurugenzi orodha ya makosa yaliyotozwa faini.  (6) This section shall apply to any offence under this Act, or under any regulation made under (2) Where faini atatakiwa kuwasilisha kwa Mkurugenzi orodha ya makosa yaliyotozwa faini.  (5)Kila baada ya Miezi mitatu, Mkurugenzi wa Uvuvi atawasilisha	offences.		(4) Afisa mwenye	
kuwasilisha kwa Mkurugenzi orodha ya makosa yaliyotozwa faini.  (6) This section shall apply to any offence under this Act, or under any regulation made under (2) Where kuwasilisha kwa Mkurugenzi orodha ya makosa yaliyotozwa faini.  (5)Kila baada ya Miezi mitatu, Mkurugenzi wa Uvuvi atawasilisha			Mamlaka atakayetoza	
Mkurugenzi orodha ya makosa yaliyotozwa faini.  (6) This section shall apply to any offence under this Act, or under any regulation made under (2) Where   Mkurugenzi orodha ya makosa yaliyotozwa faini.  (5)Kila baada ya Miezi mitatu, Mkurugenzi wa Uvuvi atawasilisha			faini atatakiwa	
ya makosa yaliyotozwa faini.  (6) This section shall apply to any offence under this Act, or under any regulation made under (2) Where yaliyotozwa faini.  (5)Kila baada ya Miezi mitatu, Mkurugenzi wa Uvuvi atawasilisha			kuwasilisha kwa	
(6) This section shall apply to any offence under this Act, or under any regulation made under (2) Where (5)Kila baada ya Miezi mitatu, Mkurugenzi wa Uvuvi atawasilisha			Mkurugenzi orodha	
(6) This section shall apply to any offence under this Act, or under any regulation made under (2) Where (5)Kila baada ya Miezi mitatu, Mkurugenzi wa Uvuvi atawasilisha			ya makosa	
to any offence under this Act, or under any regulation made under (2) Where Miezi mitatu, Mkurugenzi wa Uvuvi atawasilisha			yaliyotozwa faini.	
to any offence under this Act, or under any regulation made under (2) Where Miezi mitatu, Mkurugenzi wa Uvuvi atawasilisha				
Act, or under any regulation made under (2) Where Where Uvuvi atawasilisha	(6) This section shall apply		(5)Kila baada ya	
Act, or under any regulation made under (2) Where Mkurugenzi wa Uvuvi atawasilisha	to any offence under this		Miezi mitatu,	
any regulation made under (2) Where Uvuvi atawasilisha	Act, or under		Mkurugenzi wa	
	any regulation made under	(2) Where		
	this Act other than an	proceedings are	marejesho ya makosa	(2) Iwapo
offence which brought against yote yaliyotozwa mashtaka	offence which	1	5	` '
a minimum sentence of fine any person for faini kwa mkurugenzi yataletwa	a minimum sentence of fine	any person for	1 *	

	00	T	
or imprisonment is	an offence	wa mashitaka	kuhusu mtu
prescribed	under this Act,		yeyote kwa
	it shall be a	(6)Kifungu hiki	kosa lolote
	good defence if	kitatumika kwa kosa	chini ya Sheria
	the person	lolote litakalotendwa	hii itakuwa
	proves that the	kwa mujibu sheria	kinga (utetezi)
	offence has	au kanuni yoyote	iwapo kosa
	been	iliyotungwa chini ya	husika
	compounded	sheria hii ukiachilia	lilitozwa faini
	under this	mbali kosa ambalo	kwa mujibu wa
	section.	kiwango cha chini	kifungu.
	(3) Where any	cha faini au kifungo	
	person is	kimeainishwa.	
	aggrieved by an		(3) Iwapo mtu
	order made		yeyote
	under Sub		asiporidhika na
	section (2), he		maamuzi
	may within		yaliyotolewa
	thirty days of		kwa Mujibu
	such order		wa Kifungu
	being made,		cha 3 anaweza
	appeal against		katika kipindi
	such order to		cha siku
	the High Court		thelathini
	and the		tangu kutolewa
	provision of the		anaweza
	Criminal		kukata rufaa
	Procedure Act		Mahakama
	in relation to		Kuu kupinga
	appeals shall		Amri hiyo na
	apply mutatis		kuwa Sheria ya
	mutandis to		Makosa ya
	every such		Jinai itatumika

		appeal as if it were an appeal against sentence passed by a District Court in exercise of its own original jurisdiction.  (4) Any authorized officer who compounds an offence shall submit to the Director a list of compounded			kama vile hukumu ilitolewa na Mahakama ya Wilaya katika kutekeleza Mamlaka yake.	
	PART IX OFFENCES AND PENALTIES SEHEMU YA 9					
Obstructio n of officers	41. Any person, who willfully obstructs, hinders assaults or resists the Director, an authorized officer or a police officer in the exercise of his powers under this Act or	The principal act is amended by modifying Section 41 to read:- Any person, who wilfully		Mtu yeyote ambaye kwa makusudi atamzuia, kumshambulia au kumkataza Mkurugenzi, Afisa mwenye Mamlaka au Askari polisi wakati	Mtu yeyote ambaye kwa makusudi atamzuia, kumshambulia au kumkataza Mkurugenzi, Afisa mwenye	Obstruction of officers (Kuzuia Afisa mwenye mamlaka kutekeleza

	under any subsidiary	obstructs,	akitimiza majukumu	Mamlaka au	majukumu
	legislation made	hinders assaults	yake yaliyoanishwa	Askari polisi	yake)
	under this Act, commits an	or resists the	chini ya Sheria hii, au	wakati	yakc)
	office and upon conviction		Sheria yoyote ndogo	akitimiza	
	is liable to	Director, an authorized		majukumu	
		201	inayotokana na Sheria hii, anatenda		
	imprisonment for a term not		,	yake	
	exceeding six years.	police officer in	kosa na akitiwa	yaliyoanishwa	
		the exercise of	hatiani atahukumiwa	chini ya Sheria	
		his powers	kwenda jela	hii, au Sheria	
		under this Act	kutumikia kifungo	yoyote ndogo,	
		or under any	kisichopungua miaka	chini ya Sheria	
		subsidiary	sita.	hii, anatenda	
		legislation		kosa na akitiwa	
		made under this		hatiani	
		Act, commits		atahukumiwa	
		an offence and		kwenda jela	
		upon		kutumikia	
		conviction		kifungo	
		shall be		kisichopungu	
		imprisoned for		a miaka	
		a term <b>of not</b>		mitatu na	
		less than three		kisichozidi	
		years and not		miaka sita.	
		exceeding six			
		years.			
Indemnity	42.No matter or thing done	Retained	Jambo lolote	Indemnity	42. No matter
(ulinzi,	by the Director or any other		litalofanywa na	(ulinzi, bima)	or thing done
bima)	authorized		Mkurugenzi au Afisa	(,	by the
,	officer exercising or		yeyote mwenye		Director or
	purporting to exercise any		mamlaka akitekeleza		any other
	function under this Act		kazi yoyote		authorized
	or under any subsidiary		iliyoanishwa katika		officer
	legislation made hereunder		Sheria hii au au		exercising or
	105151411011 III44C Hereunder		Sheria iii au au		CACICISING OF

shall, if bonafide		Sheria ndogo	purporting to
in execute ing or purported		iliyotokana na Sheria	exercise any
execution of his functions		hii hatawajibika kama	function
under any of the		mtu binafsi kwa	under this
provisions of this Act or		malalamiko, madai	Act
such subsidiary legislation,		au wajibu wowote	or under any
subject any such		utakaotokanana na	subsidiary
Person as aforesaid to any		maamuzi atakayotoa	legislation
action, liability, claim or		wakati wakutekeleza	made
demand whatsoever.		Sheria hii	hereunder
		211 <b>0</b> 11 <b>w</b> 1111	shall, if
			bonafide
			in execute
			ing or
			purported
			execution of
			his functions
			under any of
			the
			provisions of
			this Act or
			such
			subsidiary
			legislation,
			subject any
			such
			Person as
			aforesaid to
			any action,
			liability,
			claim or
			demand
			whatsoever.

Penalty	43.(1) Any person, who	43. (1) The	43 (1) Mtu yeyote		Penalty
for	uses explosives to kill fish	principal Act is	anayetumia milipuko	(1)(a) Ni	for
possessing	or, destroys	amended by	kuua samaki au,	marufuku kwa	possessing
or	aquatic flora, commits an	modifying	kuharibu mimea ya	mtu yeyote	or
using	offence and upon	Section 43 to	kwenye maji,	kumiliki,	using
explosives	conviction shall be liable to	read:	anatenda kosa na pale	kutumia,	explosives
	imprisonment for a term of	(1) (a) <b>No</b>	atakapothibitika	kumsababisha	(adhabu
	not less than five years and	person shall	atahukumiwa kwenda	mtu mwingine	kwa kosa la
	not exceeding	posses, use,	jela kutumikia	kutumia,	kumiliki/kuk
	ten years.	cause any	kifungo	kuzalisha,	utwa na
		other person	kisichopungua miaka	kuhifadhi,	vifaa vya
		to use,	mitano na kisichozidi	kuuza au	milipuko)
		manufacture,	miaka kumi.	kusambaza	
		store, sell or		milipuko ya	
		distribute		kuua samaki au	
	(2) If any person, without	explosives for	(2) Mtu yeyote	kuharibu	
	lawful excuse the burden of	killing fish, or	asiyekuwa na kinga	mazingira ya	
	proof which	destroying	ya kisheria, atakutwa	kwenye maji.	
	shall be on him is found in	aquatic	anamiliki vifaa vya		
	possession of explosive	environment.	milipuko ndani au	(b) Mtu yeyote	
	within or in the	(b) Any person	karibu ya bahari, mto,	ambaye	
	vicinity of any water body,	who posses,	ziwa au chanzo	anamiliki,	
	shall be guilty of an offence	use, cause	chochote cha maji,	kutumia au	
	against this Act,	another	atahesabiwa kutenda	kusababisha	
	and upon conviction shall	person to	kosa kinyume na	mtu mwingine	
	be liable to imprisonment	manufacture,	Sheria, na pale	kutengeneza,	
	for a term of not	store, sell or	atakapothibitika	kuhifadhi,	
	less than one year and not	distribute	atahukumiwa kwenda	kuuza au	
	exceeding five years.	explosives for	jela kutumikia	kusambaza	
		intention to	kifungo	milipuko kwa	
		kill fish or	kisichopungua	nia ya kuua	
		destroy	mwaka mmoja na	samaki au	
		aquatic	kisichozidimiaka	kuharibu	

	onment	mitano.	mazingira ya
comm			kwenye maji
offen	ce and		anatenda kosa
shall	on		na pale
convi	ction, be		atakapothibitik
impri	soned for		a
a teri	n not less		atahukumiwa
than	twenty		kwenda jela
years	and not		kutumikia
excee	ding		kifungo
thirty	years.		kisichopungu
			a miaka
(2) (a	) If any		ishirini na
perso	n, without		kisichozidi
lawfu	l excuse		miaka
the bu	orden of		thelathini.
proof	which		
shall	be on him		2) Mtu yeyote
is fou	nd in		atakayethibitik
posse	ssing,		a kumiliki
storin	g, sell,		kompresa,
orair			mitungi ya
comp	ressors,		gesi, vifaa vya
gas c	ylinders,		kuzamia nje au
divin	g		karibu na
equip	ment and		mazingira ya
acces	sories		maji akiuza au
outsic	le and		kumiliki
within	n or in the		samaki
vicini	ty of any		waliovuliwa
water	body,		kwa mabomu
sellin	g or in		atahesabika
posse	ssion of		kutenda kosa

fish killed by kinyume na	
explosives shall Sheria hii, na	
be guilty of an ikiwa atatiwa	
offence, against hatiani	
this Act, and atahukumiwa	
(b) No person   kwenda jela	
shall use or kutumikia	
cause another kifungo	
person to use, kisichopungua	
air miaka saba na	
compressors,   kisichozidi	
gas cylinders, miaka kumi	
diving na tano.	
equipment and	
accessories	
outside and	
within or in the	
vicinity of any	
water body.	
shall be guilty	
of an offence,	
against this	
Act,	
(c) If any	
person is found	
guilty under	
sub section (a)	
and (b) above	
and upon	
conviction of	
shall be	
imprisoned for	
a term of not	

		loss than some			
		less than seven			
		years and not			
		exceeding			
		<b>fifteen</b> years.			
Penalty		The principal	Mtu yeyote	Sheria mama	Penalty
for using	44. Any person, found in	act is amended	atakayepatikana	imerekebishwa	for using
poison	possession of poison within	by modifying	akimiliki sumu	kwa kuboresha	poison
	the vicinity of	Section 44 to	karibu na maeneo	kifungu cha 44	(adhabu
	any water body containing	read:	yenye maji au	kusomeka:	kwa kosa la
	fish, commits an offence		chanzo chochote		kuvua
	and upon conviction	44. (1) Any	chenye samaki,	44 (1) Mtu	samaki kwa
	shall be liable to	person found	anatenda kosa na	yeyote	kutumia
	imprisonment for a term of	in possession	atakapothibitika	akipatikana	sumu)
	not less than seven years.	of poison	atahukumiwa	anamiliki sumu	,
		within the	kifungo	karibu na eneo	
		vicinity of any	kisichopungua miaka	lolote lenye	
		water body	saba.	maji, au eneo	
		containing		lolote lenye	
		fish, or uses		samaki, au	
		poison to kill		anatumia sumu	
		fish or		kuua samaki au	
		preserve fish		kuhifadhia	
		and fishery		samaki au	
		products other		mazao ya	
		than		uvuvi	
		authorized		isipokuwa kwa	
		and approved		malengo ya	
		scientific		utafiti	
		purposes		ulioruhusiwa	
		commits an		anatenda kosa	
		offence and		na pale	
		upon		atakapothibitik	
		conviction		a atahukumiwa	

		T	
	shall be	kifungo	
	imprisoned for	kisichopungua	
	a term of not	miaka kumi na	
	less than	tano na	
	fifteen years	kisichozidi	
	and not	miaka ishirini	
	exceeding	na tano.	
	twenty five		
	years.		
	(2) Any person	(2) Mtu	
	found selling	yeyote	
	or in	akipatikana	
	possession of	anauza au	
	poisoned fish	anamiliki	
	commits an	samaki	
	offence and	waliovuliwa	
	upon	kwa sumu	
	conviction	anatenda kosa	
	shall be	na	
	imprisoned for	atakopothibitik	
	a term of not	a atahukumiwa	
	less than ten	kifungo	
	years and not	kisichopungua	
	exceeding	miaka kumi na	
	twenty years.	kisichozidi	
		miaka ishirini.	
Penalty	The principal	Sheria hii	<b>Penalty</b> for
for	act is amended	imeboreshwa	possession of
possessio	by adding new	kwa kuongeza	immature
n of	section:	kifungu kipya	fish
immature	Any person	kinachosomeka	(Adhabu
fish	who in any	:	kwa kosa la
	water bodies		kukutwa na

	1 *11		3.6	
	ure, kills		Mtu yeyote	
fish,	,		ambaye atavua	wachanga)
gath	er,		samaki,	
proc	eess or		kukusanya,	
place	e in		kuchakata au	
mari	ket/sell		kuuza sokoni	
imm	ature fish		samaki	
com	mits an		wachanga	
offer	nce and		kutoka maji ya	
upor	n		asili anatenda	
-	viction		kosa na pale	
shall	l be liable		atakapotiwa	
to a	fine of not		hatiani	
less	than two		ataamriwa	
milli	ion and		kulipa faini	
not	exceeding		isiyopungua	
	million or		shilingi milioni	
impi	risonment		mbili na	
	a term of		isiyozidi	
	less than		milioni tano au	
three			kwenda jela	
and	J		kutumikia	
	eding five		kifungo	
	s or both.		kisichopungua	
	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2		miaka mitatu	
			na kisichozidi	
			miaka mitano	
			au vyote kwa	
			pamoja.	
The	section is		r	
	ified by	Sheria hii		
addir		imeboreshwa kwa		
	on to read	kuongeza kifungu		
Secti	on to read	Kuongeza Knungu		

	0.11	1,.	
	as follows:	kipya:	
	Any person	Mtu yeyote ambaye	
	who involes in	atavua samaki,	
	fishing,	kukusanya, kuchakata	
	collection and	au kupeleka/kuuza	
	sell fish	sokoni samaki	
	obtained from	wanaotokana na	
	sport fishing	uvuvi wa burudani	
	from any water	katika bahari,ziwa,	
	body either,	mto au chanzo	
	ocean, lake, or	chochote cha maji	
	river upon	kilichopo Tanzania	
	conviction shall	Bara anatenda kosa	
	be liable to a	na pale atakapotiwa	
	fine not less	hatiani atawajibika	
	than five	kulipa faini	
	million	isiyopungua shilingi	
	shillings or to	milioni tano au	
	imprisonment	kwenda jela	
	of not less than	kutumikia kifungo	
	five years.	kisichopungua miaka	
		mitatu na kisichozidi	
		miaka mitano au	
		vyote kwa pamoja.	
Penalty	The principal		Sheria mama
for	act is amended		imeboreshwa
possessio	by adding new		kwa kuongeza
n of	section:		kifungu kipya:
illegal	(a) Any person		
fishing	found selling		(a) Mtu yeyote
gear	or in		atakayepatikan
	possession of		a akiuza au
	illegal fishing		kumiliki zana

gear commits	haramu za	
an offence and	uvuvi anatenda	
upon	kosa na	
conviction	atakapothibitik	
shall be liable	a atawajibika	
to a fine not	kulipa faini	
less than ten	isiyopungua	
million or	millioni kumi	
imprisoned for	au kifungo	
a term of not	kisichopungua	
less than three	miaka mitatu	
years and	na kisichozidi	
exceeding	miaka saba.	
Seven years.		
	(b) Mtu yeyote	
	anayemiliki,	
	kutumia, au	
(c) Any person	kusababisha	
who possesses,	mtu mwingine	
use, cause	kuzalisha,	
another	kutunza, kuuza	
person to	au kusambaza	
manufacture,	nyavu za Utali	
store, sell or	(Timba) kwa	
distribute	nia kufanya	
monofilament	uvuvi anatenda	
net for fishing	kosa na	
purposes	atakapothibitik	
commits an	a atahukumiwa	
offence and	kutumikia	
shall upon	kifungo kwa	
conviction be	muda usiozidi	
liable to	miaka kumi.	

		T			
		imprisonment			
		for a term of			
		not less than			
		ten years.			
		The principal		Sheria mama	
		act is amended		imerekebishwa	
Penalty		by modifying		kwa kuboresha	Penalty
for using		Section 45 to		kifungu cha 45	for using
foreign		read:-		kisomeke hivi:	foreign
fishing	45(1) Any person, who		45(1) Mtu yeyote		fishing
vessel	uses a foreign fishing vessel		anayetumia meli ya	45 (1) Mtu	vessel
without	in territorial	45 (1) Any	kigeni katika maji ya	yeyote	without
license	water without a valid	person who	ndani bila kuwa na	anayetumia	license
	license or permit, commits	uses a foreign	leseni au kibali	meli au	(adhabu
	an offence and upon	vessel for	anatenda kosa na pale	chombo	kwa kosa la
	conviction shall be liable to	fishing,	atakopothibitika	chochote cha	kutumia
	a fine of not less than four	collecting,	atawajibika kulipa	kigeni kwa ajili	meli ya
	hundred	transportation	faini isiyopungua	ya kuvua,	kigeni bila
	thousand United States	of fish or	dola laki nne za	kukusanya,	leseni).
	dollars or imprisonment for	fishery	Kimarekani au	kusafirisha	
	a term of not less	products,	kwenda jela	samaki au	
	than five years.	aquatic flora	kutumikia kifungo	mazao ya	
		and fauna or	kwa kipindi	uvuvi, mimea	
	(2) In addition to a penalty	products of	kisichopungua miaka	na wanyama	
	imposed in connection with	aquatic flora	mitano.	wa kwenye	
	an offence	and fauna or		maji au	
	committed under subsection	facilitating	(2) Pamoja na faini	kuwezesha	
	(1), the court shall order	fishing	iliyotajwa katika	shughuli za	
	forfeiture of	<b>operations</b> in	kifungu cha (1),	<b>uvuvi</b> katika	
	vessel and fishing gear to	territorial water	mahakama itaamuru	maji ya ndadi	
	the Government	without a valid	meli au chombo	(kina kifupi)	
		license or	hicho cha uvuvi	bila ya kuwa	
		permit commits	pamoja na zana zake	na leseni au	

		CC 1	' 1 ' 'C' 1	1 '1 1' 4 1	
		an offence and	za uvuvi kutaifishwa	kibali anatenda	
		upon	na Serikali.	kosa na	
		conviction shall		atakapothibitik	
		be fined of not		a ataamriwa	
		less than <b>two</b>		kulipa faini	
		million United		isiyopungua	
		States dollars		dola elfu mbili	
		and		za	
		imprisonment		Kimarekani	
		of not less than		na kifungo	
		twenty years		kisichopungua	
		and in addition		miaka ishirini	
		the court shall		na zaidi ya	
		order the		hayo	
		foreign vessel,		mahakama	
		its propulsion		itaamuru meli	
		units and		au chombo	
		fishing gear		hicho cha	
		used in		kigeni pamoja	
		commission of		na zana zake	
		the offence to		za uvuvi	
		be forfeited to		ambazo	
		the		zilitumika	
		Government.		katika kutenda	
				kosa hilo	
				kutaifishwa na	
				Serikali.	
		The principal	46. Mtu yeyote		
Penalty	46. Any person, who does	act is amended	asiyetimiza masharti	Sheria mama	Penalty for
for	not comply with the fish	by modifying	yaliyowekwa ya	imerekebishwa	violating
violating	quality	Section 46 to	kanuni za viwango		fish quality
fish	and standards regulations	read:-	vya ubora wa samaki	kifungu cha 46	standards
quality	made under this Act,		vilivyotokana na		(adhabu kwa

standards	commits an offence		Sheria hii anatenda		kukiuka
	and upon conviction shall	Any person	kosa na	Mtu yeyote	miongozo ya
	be liable to-	who does not	itakapothibika	asiyetimiza	ubora wa
	(a) for supplies of fish	comply with the	atawajibika kwa:	masharti	viwango vya
	establishment for export	fish and fishery		yaliyowekwa	samaki)
	market, to a fine of	product quality	(a) Kwa msambazaji	ya kanuni za	·
	not less than one million	standards	wa samaki	viwango vya	
	shillings or imprisonment	regulations	kiwandani kwa lengo	ubora	
	for a term of	made under this	la kuchakatwa ili	vilivyotokana	
	not less than one year, for	Act commits an	kusafirishwa nje ya	na Sheria hii	
	first offence and for	offence and	nchi , kwa kosa la	anatenda kosa	
	subsequent	upon conviction	kwanza, atawajibika	na	
	offence a fine of not less	shall be liable	kulipa faini	itakapothibika	
	than three million shillings	to: -	isiyopungua milioni	atawajibika	
	or	(a) for a	moja au kifungo	kama	
	imprisonment for a term of	fish supplier, the	kisichopungua	ifuatavyo:	
	not less than three years;	fish	mwaka mmoja na		
		establishment,	kwa makosa	a) Kwa	
		in case of a first	yatakayofuata	msambazaji wa	
		offence, a fine	atawajibika kulipa	samaki	
		of not less than	faini isiyopungua	kiwandani kwa	
		three million	shilingi milioni tatu	<u> </u>	
		shillings or	au kifungo		
		imprisonment	kisichopungua miaka	kusafirishwa	
	(b) for internal market, to a		mitatu;	nje ya nchi	
	fine of not less than fifty			kwa kosa la	
	thousand	years. For	(b) Kwa masoko ya	kwanza,	
	shillings for first offence or		ndani faini mkosaji,	atawajibika	
	imprisonment for a term of		kwa kosa la kwanza,	kulipa faini	
	not less	not less than	atawajibika kulipa	isiyopungua	
	than one month and for		faini isiyopungua	_	
	subsequent offence to a fine		shilingi elfu hamsini	milioni tatu	
	of not less	imprisonment of	au kifungo	au kifungo	

than one hundred thousand	a term of not	kisichopungua mwezi	kisichopungua
shillings and not more than	less than <b>five</b>	mmoja na kwa	miaka <b>mitatu.</b>
three	years;	makosa	Kwa makosa
hundred thousand shillings		yatakayofuata, faini	yatakayofuata
or imprisonment for a term	<b>(b)</b> for internal	isiyopungua laki	atawajibika
not less	market in case	moja na isiyozidi laki	kulipa faini
than three years;	of a first	tatu	isiyopungua
	offence, to a	au kifungo	shilingi
(c) for an exporter, in case	fine of not less	kisichopungua miaka	milioni tano
of a first offence, to a fine	than <b>five</b>	mitatu.	au kifungo
of not less than	hundred		kisichopungua
five million shillings and	thousand	(c) kwa msafirishaji	miaka mitano.
not exceeding ten million	shillings <b>and</b>	wa samaki nje ya	<b>b</b> ) Kwa
shillings or	not exceeding	nchi, kwa kosa la	,
to imprisonment for a term	one million	mara kwanza	ndani na kwa
of not less than one year	shillings or	atawajibika kulipa	kosa
and not	imprisonment	• • •	linalotendwa
exceeding three years for		shilingi milioni tano	•
subsequent offences, to a	not less than	na isiyozidi shilingi	kwanza,
fine of not	two years; For	milioni kumi, au	mkosaji
less than fifteen million	-	kutumikia kifungo	atawajibika
shillings and not exceeding	offence a fine	jela kwa kipindi	
thirty	of not less	kisichopungua miaka	isiyopungua
million shillings or	than one	mitatu na kwa	shilingi laki
imprisonment for a term of		makosa	tano na
not less than	shillings and	yatakayofuata atalipa	•
three years and not	not more than	faini isiyopungua	
exceeding five years; in	three million	shilingi milioni kumi	•
addition, the	shillings or	na tano na isiyozidi	<u> </u>
court shall order revocation	imprisonment		kisichopungua
of export license or	of not less	thelathini au kifungo	
imprisonment	than three	kisichopungua miaka	
for a term of not less than	years;	mitatu na kisichozidi	makossa

	T T		
one year or more than two		miaka mitano; Aidha	yanayofuata
years.	(c) for an	mahakama itaamuru	faini
	exporter, in	kusitishwa kwa leseni	isiyopungua
	case of a first	ya usafirishaji au	shilingi milioni
	offence, to a	kifungo kwa kipindi	moja na
	fine of not less	kisichopungua	isyozidi
	than <b>five</b>	mwaka mmoja na	milioni tatu au
	million	kisichozidi miaka	kifungo
	shillings and	miwili.	kisichopungua
	not exceeding		miaka mitatu.
	ten million or		
	to		
	imprisonment		
	for a term of		
	not less than		
	three years		
	and not		
	exceeding <b>five</b>		
	years, and in		
	addition		(c ) Kwa
	suspension of		msafirishaji nje
	export license;		ya nchi; kwa
	For		kosa la kwanza
	subsequent		faini
	offence to a		isyopungua
	fine of not less		shilingi milioni
	than fifteen		tano na
	million		isiyozidi
	shillings and		shilingi milioni
	not exceeding		kumi au
	thirty million		kifungo si
	shillings or		chini ya miaka
	imprisonment		mitatu au

	for a tarma of		kisichozidi	
	for a term of			
	not less than		miaka mitano	
	<b>five</b> years and		pamoja na	
	not exceeding		kusimamishwa	
	<b>seven</b> years		kwa leseni ya	
	and in		usafirishaji;	
	addition to a		kwa makossa	
	penalty the		yanayofuata	
	license shall		faini	
	be		isiyopungua	
	withdrawn.		shilingi milioni	
			kumi na tano	
			na isiyozidi	
			shilingi milioni	
			thelathini au	
			kifungo	
			kisichopungua	
			miaka saba	
			pamoja na	
			adhabu hiyo	
			leseni husika	
			itafutwa.	
			itarutwa.	
	The principal	(5)	Sheria mama	
Pollution	act is amended		imerekebishwa	
of aquatic	by adding new		kwa kuongeza	
habitat	section:		kifungu kipya:	Pollution of
and its	section.		Kilungu Kipya.	aquatic
environm	(1) Any		(1) Mtu yeyote	habitat and
ent by oil	•		anayefanya	its
•	person		l	environment
and gas	conducting oil		kazi ya utafiti	
	and gas		na uchimbaji	by oil and
	exploration		wa mafuta na	gas

shall not		(uharibifu
		,
pollute	haruhusiwi	wa makazi
aquatic	kuharibu	ya viumbe
habitat and its		ya <b>hai na</b>
environment	viumbe hai	O
and in		ya <b>kwa mafuta</b>
exercising		naji <b>na gesi</b> )
such activities		
abide to The	atakapokuwa	a
Environmenta	akitekeleza	
1 Management	kazi hizo	ni
Act No.20 of		iate
2004.	Sheria	ya
	Mazingira 1	Na.
(2) Any vessel		
shall not		
discharge		
oil, wastes,		
garbage to		
any	(2)	Ni
territorial	marufuku	
water	chombo	
body;	chochote	
, souj,	kutiririsha	
	mafuta na ta	aka
(3) Subject to		
subsection	kitaifa.	ya
(1) any		
person who	(3) k	.wa
	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	wa
contraven	kurejea	(1)
es this		
section	hapo juu r	ntu

shall	yeyote
restore the	atakayekiuka
aquatic	maelekezo ya
habitat,	kifungu hiki
clean and	atarejeshesha
compensat	upya ikolojia
e the	ya makazi ya
affected	viumbe hai
communit	kwenye maji,
y to the	kusafisha na
extent of	kufidia jamii
damage	iliyoathirika na
caused	uharibifu huo
	kwa kiwango
	kinachilngana
(4) Any	na uharibifu
person	uliofanyika.
polluting	(4) Mtu yeyote
aquatic	atakayeharibu
habitat	makazi ya
and its	viumbe hai
environme	kwenye maji
nt by oil	na mazingira
and gas	yake kwa gesi
shall be	na mafuta
fined not	ataamuliwa
less than	kulipa faini
fifty	isiyopungua
billion	shilingi bilioni
shillings	hamsini au
or	kifungo
imprisone	kisichopungua
d for a	miaka ishirini

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		term of		na kisichozidi	
		not less		miaka	
		than		thelathini au	
		twenty		vyote kwa	
		years and		pamoja	
		not			
		exceeding			
		thirty			
		years or			
		both.			
		The principal	47. Mtu yeyote	Sheria mama	
Penalty	47. Any person, who	act is amended	atakayekiuka	imerekebishwa	
for other	contravenes the provisions	by modifying	masharti ya Sheria	kwa kuboresha	
offences	of this Act other	Section 47 to	hii, ukiachailia mbali	kifungu cha 47	Penalty
	than those with specified	read:-	vifungu vyenye	kisomeke hivi:	for other
	penalties, upon conviction		adhabu maalum,		offences
	shall be liable to a	47. Any person	atakapothibitika	47. Mtu yeyote	(adhabu kwa
	fine of not less than one	who	ataamriwa kulipa	atakayekiuka	makosa
	hundred thousand shillings	contravenes the	faini isiyopungua	masharti ya	mengine)
	and not more than	provisions of	shilingi laki moja na	Sheria hii,	
	one million shillings or to	this Act other	isiyozidi shilingi	ukiachilia	
	imprisonment for a term of	than those with	milioni moja au	mbali vifungu	
	not less than two	specified	kifungo jela	vyenye adhabu	
	years and not more than	penalties, upon	kisichopungua miaka	maalum,	
	five years or to both such	conviction shall	miwili na kisichozidi	akithibitika	
	fine and	be fined not	miaka mitano au	kutenda kosa	
	imprisonment.	less than <b>five</b>	vyote faini na	atalipa faini	
	•	million	kifungo kwa pamoja.	isiyopungua	
		shillings or		shilingi milioni	
		imprisonment		tano au	
		of not less than		kifungo jela	
		<b>five</b> years and		kisichopungua	
		not more than		miaka mitano	

		ten years or to		na kisichozidi	
		both fine and		miaka kumi au	
		imprisonment		vyote kwa	
		mprisomment		pamoja.	
				pamoja.	
		Modified by		48-(1) Pale	
Abandone	48(1) Where an authorized	adding section		ambapo Afisa	
d	officer has reason to believe	48(6) to read:-		mwenye	
vessel,	that, any fishing gear,	. ,		mamlaka	
gear, fish	vessel, fish or fish product	(6)Where an		anapokuwa na	
or fish	has been abandoned for	authorized		sababu ya	
				kuamini	
products	the purpose of avoiding	officer has		****	
	prosecution, he shall apply	reason to		kwamba	
	to court for an order to	believe that,		zana yoyote ya	
	dispose of the gear vessel,	any fishing		uvuvi, zao la	
	fish or fishery product.	gear, vessel,		uvuvi au	
		fish or fish		chombo	
	(2) Where a fishing vessel	product has		kimetelekezwa	
	or fishing gear or fishery	been		kwa lengo la	
	product is abandoned, and	abandoned for		kukwepa	
	the authorized officer	the purpose of		kushtakiwa,	
				ataiomba	
	believes that any person is	avoiding			
	liable to be investigated,	prosecution, he		mahakama	
	searched or arrested in	shall fill the		impe kibali cha	
	connection with a	inventory form		kuteketeza	
	commission of an offence	of all		zana, samaki	
	under the Act, or that, that	abandoned		au zao hilo la	
	person has absconded to	fishing vessels,		uvuvi.	
	any place within or outside	gears, or any			
	the United Republic, or has	items in			
	concealed himself so that he	connection with			
	cannot be searched, arrested	illegal fishing			

.1	1 1 11 4		
or otherwise investigated,	and handle to		
the authorized officer may	the custod of		
cause investigation	local		
measures to be taken in	authority until		
relation to the area or	court		
premises and property	procedures are		
previously in possession,	fulfilled.		
occupation or under control			
of the suspect.			
			(2) Pale
			ambapo
			chombo cha
			uvuvi au zao la
			uvuvi
			limetelekezwa
(3) Where upon completion			na Afisa
of measures taken pursuant			mwenye
to subsection			mamlaka
(1), it is found that an			anaamini
offence has been			kwamba mtu
committed, the authorized			yeyote
officer shall, by notice			anaweza
published in the Gazette,			kuchunguzwa,
notify the public his			kupekuliwa au
intention to apply to a court			kukamatwa
of law for an order in			akihusishwa
relation to the property or			kutenda kosa
goods involved in the			kinyume na
commission of a crime.			Sheria hii, au
(4) Upon expiry of twenty			kwamba mtu
one days from the date of			huyo
publication of			ametoroka
notice under subsection (3),			kuelekea

the authorized officer may		maeneo ya	
make an		jirani au ya nje	
application in accordance		ya Jamhuri ya	
with subsection (3)		Muungano, au	
(5) Upon receipt of an		amejificha	
application made pursuant		asiweze	
to subsection (2),		kutafutwa,	
the court shall make such		kukamatwa au	
an order as it shall deem		vinginevyo	
proper or just.		kuchunguzwa,	
		Afisa mwenye	
		mamlaka	
		ataamuru	
		uchunguzi	
		ufanyike	
		kuhusiana na	
		eneo na mali	
		zilizokuwa	
		zikimilikiwa,	
		kukaliwa au	
		kuendeshwa na	
		Mtuhumiwa	
		hapo awali.	
		(3) Pale	
		ambapo baada	
		ya kumaliza	
		kuchukua	
		hatua stahiki	

 _	Т	T	
			kwa mujibu wa
			kifungu (1),
			itakapobainika
			kwamba kosa
			limetendeka,
			Afisa mwenye
			Mamlaka
			ataufahamisha
			umma kwa
			kutoa tangazo
			kwenye gazeti
			la serikali nia
			yake ya
			kuomba kibali
			cha mahakama
			ya kisheria
			kufungua
			mashtaka dhidi
			ya mali au
			bidhaa
			zilizotumika
			kutenda kosa
			hilo.
			(4)Baada ya
			kumalizika
			kwa siku
			ishirini na
			moja tangu
			siku tangu
			kutangazwa
			kwa notisi hiyo
			katika kifungu
			Katika Kituligu

				cha (3), Afisa mwenye mamlaka atawasilisha maombi hayo kwa mujibu wa kifungu cha (3).	
				(5) Mara baada ya kupokea maombi yaliyowasi lishwa kwa mujibu wa kifungu cha (2), mahakama itatoa amri kwa namna itakavyoon a inafaa	
Reward	49. The Director may authorize the payment of rewards to persons	Retained		49. Mkurugenzi anaweza	
	giving genuine and authentic information regarding offences leading			kupanga kiasi na kuidhinisha malipo ya	

					T	
	to				zawadi kwa	
	conviction of an offender				mtu anayetoa	
	and may regulate the				taarifa muhimu	
	amount and payment of				na za	
	such rewards.				kuaminika	
					kuhusu uhalifu	
					na	
					zitakazowezes	
					ha mtuhumiwa	
					kutiwa hatiani.	
Protection	50. Any authorized officer	Retained			50. Afisa	
of	shall have the duty to				yeyote	
informers	protect any person				mwenye	
(kulinda	who gives useful				mamlaka	
watoa	information as provided for				atakuwa na	
taarifa za	under section 49.				wajibu wa	
siri)					kumlinda mtu	
					yeyote	
					anayetoa	
					taarifa muhimu	
					kama	
					ilivyoanishwa	
					katika kifungu	
					cha 49.	
		PART X				
GENERAL	PROVISIONS (SEHEMU X N	MASHARTI YA J	UMLA)			
Sovereignt	. ,	Retained		51(1) Rasilimali	Imebaki kama	
y over	resources and their			zote za kibiolojia na	ilivyo	
biological	intangible products			mazao yake bila		
resources	whether			kujali kama zipo		
Utawala	naturally occurring or			katika uasili wake au		
wa	naturalized within fisheries			zimefanywa kuwa za		
rasilimali	including			asili ikiwa ni pamoja		

	canatic recovered belonging	na rasilimali za
za	genetic resources belonging	
kibaolojia	to the Government in	kijenetiki kulingana
	accordance with	na Ibara ya 27 ya
	Article 27 of the	Katiba ya Nchi
	Constitution, shall be	zinahesabika kama ni
	conserved and utilized for	mali ya Serikali, na
	the	zitatunzwa, na
	people of this country in	kutumiwa kwa ajili
	accordance with the	ya watu wa nchi hii
	provisions of this Act and	kwa mujibu wa
	any other written law on	masharti ya sheria hii
	biological resources.	na sheria nyingine
	Whether (2) The transfer of	yeyote iliyotungwa
	any biological resources,	kuhusu rasilimali za
	their derivative products	kibiolojia. Kama (2)
	intangible components from	uhamishaji wa
	fisheries shall not operate	rasilimali zozote za
	so as to	kibiolojia, mazao ya
	extinguish the sovereignty	Uvuvi hautafanyika
	of Tanzania over those	bila kuzingatia uhuru
	resources.	wa Tanzania juu ya
		rasilimali hizo.
		(3) Kwa kuzingatia
	(3) Notwithstanding the	masharti ya kifungu
	provisions of subsection	kidogo cha (2),
	(2), the Director in	Mkurugenzi kwa
	collaboration with agencies	kushirikiana na
	responsible for scientific	taasisi zinazohusika
	research, keep	na utafiti wa
	record on performance of	kisayansi, atatunza
	all genetic resource	kumbukumbu za
	exported outside the	mwenendo wa
	enported outside the	m. enemate via

		1	,	,
	country.		rasilimali za	
	(4) Without prejudice to the		kijenetiki	
	provisions of subsection		zilizosafirishwa nje	
	(1), the right to		za nje ya nchi.	
	determine and regulate		(4) Bila kuathiri	
	access to genetic resources		masharti ya kifungu	
	is vested in the		kidogo cha (1), haki	
	Government and may be		ya kuamua na	
	exercised by the competent		kusimamia	
	authority in		upatikanaji wa	
	consultation with relevant		rasilimali za kijeni	
	organizations in accordance		imewekwa katika	
	with the		Serikali na inaweza	
	provisions of this Act or		kutumika na	
	any other written law on		mamlaka husika	
	biological resources.		katika kushauriana na	
	_		mashirika husika kwa	
			mujibu wa vifungu	
			vya	
			vya Sheria hii au	
			sheria nyingine	
			yoyote iliyoandikwa	
			juu ya rasilimali za	
			kibiolojia.	
Environm	52. No person shall	Retained	52. Hakuna mtu	
ental	undertake any development		atakayefanya	
impact	activities in this Act,		shughuli zozote za	
Assessme	without undertaking		maendeleo katika	
nt	Environmental Impact		Sheria hii, bila	
	Assessment in accordance		kufanya tathmini ya	
	with any other written laws		athari za mazingira	
	of Tanzania.		kwa mujibu wa	
			na sheria yoyote	

			nyingine		
			iliyoandikwa ya		
			Tanzania.		
Research	53(The Director shall in	The principal	53. Mkurugenzi kwa	Sheria kuu ni	
priority	collaboration with research	act is amended	kushirikiana na	imerekebishwa	
areas and	institutions	by modifying	taasisi za Utafiti na	kwa kuboresha	
facilitation	and other stakeholders	Section 53 to	wadau wengine	sehemu 53 ili	
	outline areas that require	read:-	atainisha maeneo	isomeke kama	
	research.		yanayotakiwa	ifuatavyo; -	
	(2) Any person intending to	(1) The	kufanyiwa utafiti	(1)	
	undertake any research in	Director shall	(2) mtu akitaka	Mkurugenzi	
	fisheries prior	in collaboration	kufanya utafiti	kwa kwa	
	to obtaining any permit or	with <b>the</b>	wowote katika uvuvi	kushirikiana na	
	obtained from any other	Tanzania	kabla ya kupata kibali	taasisi ya	
	person(s) or	Fisheries	au kutoka kwa mtu	utafiti wa	
	organization shall be	Research	mwingine yeyote au	uvuvi Tanzania	
	required to obtain a	Institute or	shirika atahitajika	au taasisi	
	research clearance from the	other research	kwanza kupewa	nyingine za	
	Director.	institutions and	kibali cha utafiti	utafiti na	
	(3) An application for a	stakeholders	kutoka Mkurugenzi.	wadau	
	research permit to which	outline <b>priority</b>		Ufupisho	
	this section applies,	areas that	(3) Maombi ya kibali	Maeneo ya	
	shall be accompanied by a	require	cha utafiti ambayo	kipaumbele	
	copy of the research	research.	yanahusika na	ambayo	
	proposal and include-		sehemu hii	yanahitaji	
	(a) the name, qualifications		yatalazimika	utafiti	
	and designation of the		kuambatishwa na		
	person applying		nakala ya andiko la		
	for the clearance;		utafiti pamoja na		
	(b) the names,		mambo mengine		
	qualifications and		yafuatayo; –		
	designation of any person		(a) Jina, sifa na		
	whom it		wadhifa wa mtu		

	1	
is proposed will assist or	anayeomba kibali	
work with the person	(b) Majina, sifa na	
applying for the	wadhifa wa mtu	
clearance;	yeyote ambaye	
(c) the name, function and	anapendekezwa	
address of the institution or	kufanya kazi na mtu	
organization,	anayeomba kibali;	
if any, with which the	(c) Jina, majukumu	
person applying for the	na anwani ya taasisi	
clearance is	au shirika, kama ipo,	
connected, either directly or	ambayo mtu	
indirectly and if a different	anayeomba kibali	
institution or	anafanya nayo kazi	
organization is funding in	moja kwa moja au la	
whole or in part the	au kama ni shirika	
research,	linalotoa fedha ni	
the name, address and	fedha kwa ujumla au	
function of that funding	kwa sehemu ya	
institution or	utafiti, na jina,	
organization;	anwani na kazi ya	
(d) the purpose of the	taasisi hiyo fedha au	
research and the use of	shirika;	
which it shall be put,	(d) madhumuni ya	
including any proposal for	utafiti na matumizi	
the publication of the	ambayo ni lazima	
results of the research and	auawe, ikiwa ni	
any proposed commercial	pamoja na pendekezo	
exploitation of the	yoyote kwa ajili ya	
research, and	uchapishaji wa	
(e) any such other matters	matokeo ya utafiti na	
as may be prescribed.	yoyote	
(4) In determining whether	(e) hayo mambo	
to grant or refuse to grant a	mengine kama	

	1 1, ,	
research	inaweza eda.	
clearance, the Director shall	(4) katika kuamua	
have regard to -	kama ruzuku au	
(a) any general policies	kukataa kutoa kibali	
concerning research	cha utafiti,	
adopted by any national	mkurugenzi na suala	
bodies charged with a duty	kwa - kuhusu utafiti	
to promote and regulate	iliyopitishwa na miili	
research;	yoyote taifa dhamana	
(b) the extent to which the	na wajibu wa	
proposed research is likely	kuendeleza na	
to contribute	kusimamia utafiti;	
to the furtherance of the	sera yoyote Mkuu (a)	
objectives of fisheries asset	(b) kiasi ambacho	
out in Part	utafiti	
III of this Act;	uliopendekezwa ni	
(c) the proposal or lack of	uwezekano wa	
them that the research plan	kuchangia kwa	
contains for	kushirikiana wa	
providing feedback from	malengo ya uvuvi	
the research and	mali nje katika	
disseminating the	sehemu ya II ya	
results of the research	sheria hii;	
within the country;	(c) pendekezo au	
(d) the extent to which the	ukosefu wao ambayo	
research plan complies with	mpango wa utafiti ina	
any	kwa kutoa maoni	
international agreements	kutokana na utafiti na	
relating to research on	kusambaza matokeo	
fisheries of the	ya utafiti ndani ya	
nature proposed in the	nchi;	
application;	(d) kiwango ambayo	
(e) such other matters as	mpango wa utafiti	

		1.
appear to be relevant or as	hukub	
may be		paliano yoyote
Prescribed.	kimata	
(5) In granting a research	zinazo	husiana na
clearance, the Director may	utafiti	wa uvuvi wa
attach such	asili k	catika maombi;
conditions to the clearance	(e) k	ama nyingine
as are calculated to ensure	masua	la kama
that the matters	kuonel	kana kuwa
referred to in subsection (3)	husika	au kama
are observed and furthered	inawez	za eda.
by the research	(5)	katika kumpa
and in particular such	kibali	cha utafiti,
conditions may regulate and	Mkuru	igenzi anaweza
control the manner	ambati	isha hali kama
in which any specimen of	hiyo k	wa kibali kama
flora or fauna are taken		nahesabu kwa
from a fisheries	kuhaki	ikisha kwamba
reserve or are exported	masua	la zilizotajwa
from Tanzania in the course		kifungu
of or at the	(3)	aliona na
Conclusion of the permitted	zitamb	ouliwe na utafiti
research.	na ha	ısa hali kama
(6) Any person, who has	hiyo	inaweza
been granted a research	1	piti na kudhibiti
clearance shall, at	namna	ambayo
his own expense deposit	specim	nen yoyote ya
one copy of any publication	_	a au wanyama
of any sort with	ni	kuchukuliwa
any research section,		a Hifadhi ya
whether produced by the	uvuvi	au
person granted the		ıfirishwa
research permit alone or as	kutoka	
research permit arone or as	Kutoku	1 MILMIIM

a joint author with other	katika mfululizo wa	
persons during the	au katika hitimisho la	
course of the research in	utafiti kuruhusiwa.	
each such library in the		
country as shall be	(6) mtu, ambaye	
Specified in the research	amepewa kibali cha	
permit or as may be	utafiti itakuwa, katika	
prescribed.	yake gharama amana	
(7) Where the Director is	nakala moja ya	
satisfied after due inquiry or	chapisho ya aina	
as a result of	yoyote na sehemu	
information given to him by	yoyote utafiti, iwe	
a reliable source that any	mtu nafasi kibali cha	
research is being	utafiti peke yake au	
conducted otherwise than in	kama mwandishi	
accordance with the terms	pamoja na watu	
of a research	wengine wakati wa	
clearance, he shall forthwith	kozi ya utafiti katika	
withdraw the said research	kila maktaba katika	
permit and	nchi kama itakuwa	
issue a direction in writing	maalum katika utafiti	
to the person to whom the	kibali au kama	
research	inaweza eda.	
clearance was granted to	(7) ambapo	
cease all activities	Mkurugenzi ni	
connected with or arising	kuridhika baada	
out of the research.	kutokana uchunguzi	
(8) A person from whom a	au kama matokeo ya	
research clearance has been	taarifa aliyopewa kwa	
withdrawn	chanzo cha	
under subsection (6), may	kuaminika kwamba	
appeal to the Minister.	utafiti wowote kuwa	
	mazoezi vinginevyo	

			kuliko kulingana na	
			masharti ya kibali cha	
			utafiti, yeye mara	
			itakuwa kuondoa	
			utafiti alisema kibali	
			na kutoa mwelekeo	
			katika kuandika kwa	
			mtu ambaye kibali	
			cha utafiti ulitolewa	
			kwa kusitisha	
			shughuli zote za	
			kushikamana au	
			inayotokana nje ya	
			utafiti.	
			(8) mtu ambaye	
			kibali cha utafiti	
			imekuwa kuondolewa	
			chini ya kifungu	
			(6), anaweza kukata	
			rufaa kwa Waziri.	
Call for	54. The Director may call	Retained	54. Mkurugenzi	
research	for any research		anaweza kuagiza	
informatio	information obtained to		taarifa yoyote utafiti	
n	be disseminated to the		isambazwe kwa kwa	
	public.		umma.	
Call for	55. The Director may for	Retained	55. Mkurugenzi kwa	
informatio	the purpose connected with		kwa madhumuni	
n	the		yanayoendana na	
from	implementation of this Act,		utekelezaji wa sheria	
licencee	by notice sent in writing, or		hii, kwa taarifa	
	delivered by		zilizotumwa kwa	

	T		1		1
(TT 11 1	registered post, require any			maandishi au kwa	
(Kuulizia	person holding a license			njia ya posta,	
taarifa	under this Act to			kuhitaji mtu yeyote	
utafiti	send or deliver to the			aliye na leseni	
wito	Director within thirty days			iliyotolewa chini ya	
maelezo	from the date on which			sheria hii kutuma au	
kutoka	the notice was sent or			kurudisha kwa	
licencee	delivered, such documents			Mkurugenzi ndani ya	
	and information that			siku thelathini kutoka	
	is required.			tarehe ambayo Ilani	
	_			ya kutumwa au	
				kukombolewa,	
				nyaraka na taarifa	
				ambayo inahitajika	
Exemptio	56. Notwithstanding	Retained		56. ijapokuwa	
ns	anything contained in this			chochote zilizomo	
	Act, the Minister			katika sheria hii,	
	may grant an exemption to			Waziri anaweza	
	any person or organization			kutoa msamaha kwa	
	from all or any			mtu yeyote au shirika	
	of the provisions of this Act			kuhusu jambo lolote	
	or of any subsidiary			au masharti ya sheria	
	legislation not			hii au sheria yoyote	
	inconsistent with the			ndogo si kinyume na	
	provisions of this Act in			masharti ya sheria hii	
	order to entitle the			ili entitle ya mwenye	
	holder to engage in fishing			kujihusisha na uvuvi	
	and to do such other things			na kufanya mambo	
	as may be			mengine kama	
	specified in the order for			inaweza kubainishwa	
	any of the following			ili kwa yoyote ya	
	purposes:-			sababu zifuatazo:-(a)	
	(a) scientific research and			utafiti wa kisayansi	

flora or products of aquatic	make	masoko ya samaki na	na Mei,
flora.	provisions	mazo yake na mimea	kwa
	which, in his	ya kenye maji na	sheria
	opinion, are	mazao yake.	kama
(2) Without prejudice to the	necessary or	,	hizo,
generality of subsection (1),	expedient for		kufanya
the	the purpose of		vyakula
Minister may make	protecting,		ambayo,
regulations -	conserving,		kwa
(a) providing for the	developing,		maoni
issuance, suspension and	regulating or		yake, ni
cancellation of	controlling the		muhimu
licences or authorities	capture,		au vya
granted or given under this	collection,		kufaa kwa
Act or any	gathering,		ajili ya th
subsidiary legislation made	processing,		e
under this Act;	storage or		madhumu
(b) prescribing the terms	marketing of		ni ya
and conditions upon which	fish, fishery		kulinda,
any such	products,		kuhifadhi,
licence or authority may be	aquatic flora		kuendelez
granted or issued;	and fauna or		a,
(c) prescribing the forms of	products of	(2) bila ya kuathiri	kusimami
application for licences and	aquatic flora	kifungu (1), Waziri	a au
responsible	and fauna.	atatengeneza kanuni-	kudhibiti
authorities;	(2) Without	(a) Kanuni ambazo	kukamatw
(d) prescribing fees for	prejudice to	zitaruhusu, kutoa,	a,
licences and authorities;	the generality	kusitisha au kufuta	ukusanyaj
(e) requiring all or any	of subsection	leseni au mamlaka	i,
category of fishing vessels	(1) the	iliyotolewa chini ya	ukusanyaj
to be registered;	Minister may	sheria hii,	i,
(f) providing for and	make	(b)Kuainisha	usindikaji,
regulating the description,	regulations-	masharti na vigezo	uhifadhi

specifications and	(a)providing for	ambavyo leseni au	au
form of nets to be used in	the issuance,	mmalaka inaweza	masoko
fishing and the size of the	suspension	kutolewa.	ya samaki,
meshes;	and	(c) kuainisha fomu	bidhaa za
(g) prohibiting or regulating	cancellation	maombi ya leseni na	uvuvi,
the use of any description	of licenses or	mamlaka husika.	majini
of fishing	authorities	mamaka masika.	flora na
gear;	granted or	(d) kuainisha ada za	fauna au
(h) prohibiting, restricting	given under	leseni na mamlaka	bidhaa ya
or regulating the	this Act or	(e) Uitaji wa vyombo	majini
importation into		vinavyotakiwa	_ ~ ~
Mainland Tanzania any live	any subsidiary	_	flora na fauna.
fish, other than fish		kusajiliwa.	
,		(f) Kutoa vigezo	(2) Bila ya kuathiri
indigenous to	made under	vitakavyotumika	
Mainland Tanzania;	this Act;	kama muomgozo	ujumla wa
(i) prohibiting or regulating	' '	katika kufafanua sifa	kifungu (1)
the exportation of fish,	ing the terms	na aina ya nyavu	Waziri
aquatic flora or	and	itakayotumika na	anaweza
any fish product or product		ukubwa wa macho.	kutengenez
of aquatic flora;	upon which	(g) Kuzuia au	a kanuni
	any such	kudhibiti matumizi ya	(a) kutoa
	license or	zana za uvuvi	kwa ajili
	authority	(h) kuzuia, kukataza	ya
	may be	au kudhibiti	utoaji,
	granted or	uingizwaji wa samaki	kusimam
	issued;	hai, na samaki	ishwa na
	(c)prescribing	wengine ambao siyo	kufutwa
	the forms of	wa asili.	kwa
	application		leseni au
	for licenses,	(i) kuzuia na	mamlaka
	and	kusimamia	nafasi au
	responsible	usafirishaji wa	lililotole
	authorities;	samaki na mazao	wa chini

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(d) prescrib	yake, na mimea ya	ya sheria
ing fees for	kwenye maji na	hii au
licenses,	mazao yake.	sheria
services and		yoyote
authorities;	kuzuia au kukataza	ndogo
(e)requiring all	matumizi ya milipuko	alifanya
or any	kwa madhumuni ya	chini ya
category of	uvuvi;	sheria
fishing	(k) kuzuia au	hii;
vessels to be	kukataza matumizi ya	(b) kutoa
registered;	sumu za kemikali au	maeleke
(f) providing for	sumu mali kwa	zo ya
and	madhumuni ya uvuvi;	masharti
regulating the	(l) kuzuia au	kwa ajili
description,	kukataza kuvua,	ya utoaji
specifications	ukusanyaji, au	leseni au
and form of	uharibifu wa aina	mamlaka
nets to be	yoyote ya samaki,	yoyote
used in	mimea ya maji, au	kama
fishing and	viumbe maji	inaweza
the size of	(m) kutoa mwongozo	kutolewa
the meshes;	wa hifadhi maeneo	;
(g) prohib	muhimu kwa mazalia	(c) kutoa
iting or	ya samaki,	maelekezo
regulating the	(n)kudhibiti na	ya fomu ya
use of any	kuzuia uchafuzi wa	maombi ya
description of	maji ya kitaifa	leseni, na
fishing gear;		mamlaka
(h) prohib	) Kuthibiti	husika;
iting,	uingizaji ndani na	(d) kutoa
restricting or	usafirishaji nje	maelekezo
regulating the	samaki, mazao ya	ya ada kwa
importation	uvuvi na viumbe maji	ajili ya

		T
into Mainland		leseni,
Tanzania any		huduma na
live fish, other	(P) kutambua na	mamlaka;
than fish	kuweka vipindi	(e) kuhitaji
indigenous to	kufungwa kwa	vyombo
Mainland	uvuvi;	vyote vya
Tanzania;	(q) kupunguza au	uvuvi
(i) prohib	kudhibiti idadi ya	kusajiliwa
iting or	vyombo vya Uvuvi;	(f) Inaelekeza
regulating the	(r) kusimamia	na
exportation of	masoko ya samaki,	kusimamia
fish, aquatic	mazao ya uvuvi na	utoaji wa
flora and	mimea maji	vigezo vya
fauna or any	(s) kuzuia, kudhibiti	aina ya
fish product or	au kudhibiti shughuli	nyavu
product of	za vyombo vya uvuvi	kutumika
aquatic flora	vya kigeni katika	katika
and fauna ;	maji ya Kitaifa;	uvuvi na
(j) prohib	(t) kusimamia	ukubwa wa
iting or	usindikaji wa samaki,	jicho la
restricting the	bidhaa za samaki au	wavu;
use of	mimea Maji	(g) Kuzuia au
explosives for	(u) Kuanisha taratibu	kusimamia
the purpose	za uchakataji wa	utoaji wa
of fishing;	samaki, mazao ya	vigezo vya
(k) prohib	samaki na viumbe	zana za
iting or	maji wa kufuatwa	uvuvi,
restricting the	(v) Kuanisha vigezo	(h) kuzuia,
use of any	vya ubora wa	kudhibiti,
poisonous	majengo na	na
chemical or	miundombinu ya	kusimamia
toxic	uchakataji na	uingizaji
substance for	uhifadhi au kuuza	Tanzania

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the purpose of	samaki, mazao ya	bara
fishing,	samaki na viumbe	samaki
(1)	maji;	yoyote
prohibiting or		kuishi,
restricting the	(w) kudhibiti na	zaidi ya
capturing,	kurekebisha uingizaji	samaki
collection,	na utengenezaji wa	asilia kwa
removal or	nyavu za kuvulia	Tanzania
destruction of		bara;
any variety of	(x)kusimamia	
fish, aquatic	muundo, mamlaka	(i) kuzuia, au
flora and	na kazi za vyama;	kudhibiti
fauna, fish		usafirishaji
product or	(y)kusimamia	nje ya nchi
product of	mishahara na	wa samaki,
aquatic flora	marupurupu ya kikosi	mimea ya
and fauna;	(z) Kutoa na	majini na
(m)	kudhibiti vigezo vya	wanyama
providing for	kufuatwa na wavuvi	wa majini
the protection	wakubwa	(j) kuzuia
of critical		matumizi
habitats;		ya
(n) preven	(aa) Kutoa na	milipuko
ting the	kudhibiti vigezo vya	kwa
obstruction	kufuatwa na wafugaji	madhumun
and pollution	wa samaki	i ya uvuvi;
of territorial	(bb) kutoa vigezo	
waters;	kwa ajili ya utoaji wa	(k) kuzuia au
(0)	vitambulisho	kuzuia
controlling the	vinazotumika	matumizi
import and		ya sumu za
export of fish,	(cc) kutoa kwa ajili	kemikali
aquatic flora	ya ulinzi wa viumbe	kwa

and fauna, fish	maji wa makazi ya	madhumun
products or	majini, mifumo ya	i ya uvuvi,
products of	ekolojia na vilivyo	
aquatic flora	hatarini;	
and fauna;	(dd) kusimamia uvuvi	
(p) deter	mdogo;	
mining and	(ee) kutoa kwa ajili	
imposing	ya kurejesha	(l) kuzuia
closed	rasilimali zilizo	kukamata,
periods;	katika hali ya	kukusanya,
(q) limitin	kutoweka	kuondolew
g or	(ff) kutoa na	a au
controlling the	kurekebisha njia	uharibifu
number and	ambamo rasilimali za	wa aina
size of fishing	kijenetiki zinaweza	yoyote ya
vessels;	kusimamiwa;	samaki,
(r) regula		majini
ting the	(gg) maelekezo ya	flora na
marketing of	namna ya kuweka	fauna,
fish, aquatic	alama ya nyavu za	samaki
flora and	uvuvi;	bidhaa au
fauna, fishery	(hh) maelekezo ya	bidhaa ya
products or	namna ya kuondoa	mimea ya
products of	nyavu zilizopotea;	majini.
aquatic flora	(iii) Kusimamia	
and fauna;	matumizi ya vifaa	(m) Maelekez
(s) prohib	bandia vya kuvutia	o kwa ajili
iting,	samaki kudhibiti	ya ulinzi
regulating or	matumizi ya samaki	wa mazalia
controlling the	(jj) Maelekezo ya	muhimu;
activities of	namna ya ukusanyaji	
foreign fishing	takwimu na kutoa	(n) kuzuia
vessels within	taarifa	kizuizi na

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territo		uchafuzi
waters	·	wa
(t)	regula	mazingira
ting	the	ya bahari;
	sing of	(o) kudhibiti
fish,	fish	uagizaji na
produc		usafirishaji
	e flora	wa samaki,
	auna or	mimea ya
produc		majini na
	c flora	wanyama,
and fa	una;	samaki
(u)	prescri	bidhaa au
bing		bidhaa ya
condit	ions	majini
under	which	mimea na
every		Wanyama;
proces	sor of	(p) kutambua
fish,	fish	na kuweka
produc		vipindi
produc	ets of	kufunga
aquati	e flora	Uvuvi;
and	fauna	(q) kupunguza
shall c	omply;	au
(v)		kudhibiti
prescr	ibing	idadi na
-	cations	ukubwa wa
	ich any	uvuvi
factor	· I	vyombo;
	ng, Fish	(r) kusimamia
	shments	masoko ya
or	other	samaki,
premis	ses used	mimea na

for	the	Wanyama,
purpose	of	bidhaa za
fish		uvuvi au
processing		bidhaa ya
storage of	or sale	majini
of any	Fish,	mimea na
fish pr	oduct,	Wanyama;
aquatic	flora	(s) kuzuia,
and fau	na or	kudhibiti
product	of	au
aquatic	flora	kudhibiti
and	fauna	shughuli za
shall con	form;	vyombo
(w)		vya uvuvi
controlli	ng	wa kigeni
and regu		ndani ya
importati		mipaka ya
manufac		bahari;
and	-	(t) kusimamia
construct	tion	usindikaji
of f	ishing	wa samaki,
gears;		bidhaa za
	egula	samaki au
ting	the	majini
structure	,	flora na
functions		fauna au
powers	of	bidhaa ya
authorize	ed	majini
associati	ons;	mimea na
	egula	Wanyama;
ting	the	(u) Kuainisha
remunera		matakwa
	fringe	ambayo

benefits for kila	
the Unit; mchakataji	
(z) provid wa samaki,	
ing for and mazao ya	
regulating the uvuvi	
conditions atatakiwa	
under which kufuata;	
industrial (v) Kuainisha	
fishing will be vigezo vya	
undertaken; kufuatwa	
(aa) provid kwa	
ing for the kiwanda,	
issuance of au mahali	
identification pa	
cards and kuchakatia	
conditions mazao ya	
under which uvuvi au	
they will be panapotum	
used; ika kwa	
(bb) provid madhumun	
ing for i ya	
protection of usindikaji	
biodiversity of wa samaki,	
aquatic uhifadhi	
habitats,	
ecosystems (w) kudhibiti	
and	
endangered kusimamia	
species; uingizaji	
(cc)	
regulating utengenenz	
artisanal aji wa	
fisheries; nyavu za	

	(dd) provid	uvuvi;
	g for the	
res	storation	
	d recovery	(x) kusimamia
of	depleted	muundo, kazi
sto	ocks;	na mamlaka ya
	(ee) provid	vyama vya
ing	g for and	uvuvi
reg	gulating the	
ma	anner in	(y) kurekebisha
wł	nich genetic	ujira na
res	sources shall	marupurupu
be	managed;	kwa ajili ya
	(ff) provid	kitengo cha;
ing	g for	
ma	arking of	(z) kurekebisha
	hing gears	hali ya
	d outboard	chini
en	gines;	ambayo
	(gg) provid	uvuvi wa
ing		viwanda
red	covery of	utakuwa
los	st and	kufanyika;
ab	andoned	(aa) Maelekez
fis	hing gears;	o kwa ajili
	(hh) regula	ya utoaji
	ig the use of	wa
fis		vitambulis
ag	gregating	ho na hali
	vices;	ya chini
	(ii) provid	ambayo
ing	g for data	yatatumika
	llection and	

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reporting;	(bb) Kuelekeza
(jj) prescri	kwa ajili
bing a	ya ulinzi
programme	wa
for the	viumbehai
monitoring,	wa makazi
surveillance	ya majini,
and control of	mifumo ya
diseases of	ekolojia na
aquatic	hatarini;
organisms;	(cc) kudhibiti
(kk) prescri	wadogo
bing the form	uvuvi;
of any license	(dd) kusaidia
or other	kurejesha
approval	na
which is	kuhuisha
issued,	rasilimali
granted or	zinazotowe
given under	ka;
this Act;	(ee) kutoa na
(ll) prescri	kurekebish
bing the	a njia
duration of	ambamo
any license	rasilimali
and the	za
conditions	kijenetiki
which are	zinasimami
applicable to	wa;
the renewal of	(ff) Maelekez
any such	o ya
license;	uwekaji wa
(mm)prescri	alama
(/ртебеті	MIMILIA

b	oing the	katika	
h	nealth	injini na	
c	certification	maboti	
r	requirements	(gg) Maelekezo	
to	o be met prior	kwa ajili	
l to	o the import	ya kuweka	
	or export of	alama ya	
	ive aquatic	uvuvi gia	
	organisms,	na injini	
	eggs,	outboard;	
	Fertilized	(hh) kudhibiti	
l e	eggs, or prior	matumizi	
	o the export	ya vifaa	
	of any aquatic	vya	
	product;	kuvutia	
	(nn) prescri	samaki	
	oing measures	(ii) kutoa kwa	
	for the	ajili ya	
	prevention,	ukusanyaji	
	reatment and	wa data na	
	eradication of	taarifa;	
	diseases in	(jj) Kutoa	
	aquatic	maelekezo	
	organisms;	kwa ajili	
	(00)	ya mpango	
r	regulating	wa	
	he discharge	ufuatiliaji,	
	nto natural	uchunguzi	
	water bodies	na udhibiti	
	of any	wa	
	pollution from	magonjwa	
	offshore	ya viumbe	
	activities;	viishivyo	
	cuvines,	viisiivyo	

(pp) regula	majini;
ting the	(kk) Kuainisha
collection of	fomu ya
wild seeds;	leseni
(qq)	yoyote au
Regulating	idhini
ornamental	nyingine
fish fishing	ambayo ni
and brood	kutolewa,
stock	nafasi au
harvesting.	lililotolewa
(rr) prescri	chini ya
bing the	sheria hii;
management	(ll)Maelezo ya
of the	muda wa
National Fish	leseni
Quality	yoyote na
Control	masharti
Laboratories;	ambayo
,	vinatumika
(ss) regula	kwa upya
ting the	wa leseni
manner in	hizo;
which	mze,
collaborative	
fisheries	
management	(mm) Kuainis
activities shall	ha
be carried out;	matakwa
(tt)	ya usafi na
(uu) regula	afya kabla
ting anything	ya kuingiza
which may be	au kuuza
which may be	au Kuuza

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	required for	mazao nje	
	the proper	nje ya	
	implementatio	viumbe hai	
	n of this Act	viishivyo	
		majini,	
		mayai,	
		mayai	
		(nn) Kuainisha	
		hatua za	
		kuzuia,	
		kuzua, kutibu na	
		kutokomez	
		a .	
		magonjwa	
		kwa	
		viumbe	
		viishivyo	
		majini;	
		(oo) kusimami	
		a umwagaji	
		wa maji	
		taka katika	
		maji ya	
		asili na	
		uchafuzi	
		wa	
		kutokana	
		na shughuli	
		za	
		kibinadam	
		u	

	 	Г
		(pp)
		kusimamia
		ukusanyaji
		wa mbegu;
		(qq) Kusimami
		a uvuvi wa
		samaki wa
		mapambo
		na kuvuna
		brood wa
		hisa.
		(rr) Kuanisha
		matakwa
		ya
		usimamizi
		wa
		Maabara
		ya Taifa ya
		Uvuvi ya
		samaki
		kudhibiti
		ubora
		(ss) Kusimami
		a namna
		ambavyo
		mashirikia
		no katika
		usimamizi
		yatafanyik
		a:
		(tt) Kusimamia
		masuala
		yote

					ambayo yanatakiwa kufuatwa kufanikish a utekelezaji wa Sheria hii.	
Act to prevail over by-laws	58. Where any provision of any by-law made by a local authority is inconsistent with any provision of this Act or any subsidiary legislation made under this Act, the provision of this Act or, as the case may be, of the subsidiary legislation, shall be construed so as to revoke, to the extent of the inconsistency, the provision of such by-law.			58. Endapo sehemu yoyote katika sheria ndogo ndogo zilizotungwa na mamlaka za mitaa haiendani na kifungu chochote cha sheria hii au sheria yoyote ndogo chini ya sheria hii, utoaji wa sheria hii au kama hali itakavyokuwa, sheria ndogo, itatafsiriwa ili kuondoa kasoro au mapungufu ya sheria hiyo		
Repeals, Act No. 6 of 1970	59-(1) The Fisheries Act. 1970 is hereby repealed. (2) Notwithstanding the repeal of the Act- (a) all licences and permits granted under the provisions of the	The principal act is amended by modifying Section 59 To read:-	inafutwa. (1) Bila kuathiri	Sheria hii inarekebishwa kwa kuboresha kifungu 59 kisomeke:- 59(1) Sheria ya uvuvi na. 22 ya mwaka 2003 inafutwa		

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	es Act, shall be	Fisheries	yaliyomo		
	to have been made	Act No. 22	kwenye sharia		
under th		of 2003 is	iliyofutwa:-		
Fisherie	*	hereby	(a)leseni zote		
	regulations made	repealed.	na vibali		
	the Fisheries Act,		zilizotolewa		
	deemed to		chini ya		
	een made under this		vifungu vya		
	nd shall remain in		sheria hii		
force ar			zitajulikana		
	ffect until repealed,		kama		
	d or amended under		zimeundwa		
and in			chini ya sharia		
accorda	ince with the		hii		
provisio	ons of this Act;		(b)kanuni zote		
			zilizotungwa		
			chini ya sharia		
			hii		
			zitajulikana		
			kama		
			zimetungwa		
			chini ya sharia		
			hii na		
			zitakuwa na		
			nguvu mpaka		
			pale		
			zitakapofutwa		
			au		
			kurekebishwa		
			chini ya na		
			kutokana na		
			vifungu cya		
			sharia hii		

Amendme	The Minister may amend	Waziri			
nt of	schedules to this Act	anaweza			
Schedules		kubadirisha			
		mpangilio wa			
		sheria hii			
Saving	(2) Notwithstanding the		(2) Bila		
provision	repeal of the Act;		kuathiri		
	(a) all licenses and permits		kufutwa kwa		
	granted under the		sheria;		
	provisions of the Fisheries		(a) leseni zote		
	Act, shall be deemed to		na vibali		
	have been made under this		zilizotolewa		
	Fisheries Act;		chini ya		
			Sheria ya		
	(b) all regulations made		Uvuvi,		
	under the Fisheries Act,		zifahamika		
	shall be deemed to have		kuwa		
	been made under this Act		zimetungwage		
	and shall remain in force		nezwa chini		
	and have effect until		ya Sheria hii		
	repealed, replaced or		ya Uvuvi;		
	amended under and in		(b) Kanuni		
	accordance with the		zote		
	provisions of this Act		zilizotungwa		
			chini ya		
	(c) all lawful orders,		Sheria ya		
	notices ,by laws or anything		Uvuvi,		
	given or made by an		zitaonekana		
	authorized officer so		kuwa		
	authorized to give or make		zimefahamika		
	such lawful orders, notices		kwamba		
	and by-laws under the		zimetungwa		
	Fisheries Act, shall be		chini ya sheria		

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deemed to have been made	hii chini ya		
under this Act, and shall	Sheria hii na		
remain in force and	zitaendelea		
effective until amended or	kutumika		
withdrawn under this Act.	mpaka		
	zitakapofutwa		
	, kubadilishwa		
	au		
	kurekebishwa		
	kwa mujibu		
	wa masharti		
	ya Sheria hii;		
	Sheria,		
	itaonekana		
	kuwa		
	imefanywa		
	chini ya		
	Sheria hii na		
	itaendelea		
	kutumika na		
	kuathiri		
	mpaka		
	kufutwa,		
	kulutwa, kubadilishwa		
	au		
	kurekebishwa		
	chini na kwa		
	mujibu wa		
	masharti ya		
	Sheria hii;		
	(c) amri zote		
	halali		

kisheria,	
notisi, na	
sharia ndogo	
au kitu	
chochote	
kilichotolewa	
au afisa	
aliyeidhinish	
wa ili kutoa	
au kufanya	
amri za halali,	
notisi na	
sheria ndogo	
chini ya	
Sheria ya	
Uvuvi,	
zitaonekana	
kuwa	
imefanywa	
chini ya	
Sheria hii , na	
itabaki katika	
nguvu na	
ufanisi mpaka	
kurekebishwa	
au	
kuondolewa	
chini ya	
Sheria hii	

## SECOND SCHEDULE

(Made under section.....)

# TENURE, MEETINGS AND PROCEEDINGS OF THE COMMITTEE

Chairperson of the	The Committee shall be chaired by the Permanent Secretary of the Ministry responsible for fisheri
Committee	meet quarterly a year and may convene an ad-hoc meeting when it deems necessary.
Secretary of the Committee	The Director of Fisheries or Aquaculture shall be the Secretary of the Committee
Tenure of the Committee	The tenure of the office for the Committee members shall be five years and may be renewable once.
Members	
Quorum	The quorum of the meeting shall be half of the members
Good conduct,	, and the second
responsibilities and legal	a) be of good conduct and high integrity;
liabilities Member of the	b) treat information pertaining to any matter relating to the Fund as confidential and shall not conformation unless authorized to do so or compelled by law so to do;
	c) desist from acting in a way that is inconsistent with the responsibilities of the Committee in terr
Committee	and other Laws of the Land;
	d) Refrain from using the position or privileges of, or confidential information obtained as a Fund
***	gain or improperly benefit another person.
Voting	a) The decisions of the Committee shall be made by consensus or, in the absence of consensus, by of the members present and voting.
	of the members present and voting.
	b) In case of equality of votes, the Chairperson shall have the casting vote.

		c) The Chairperson shall, if present, preside at all meetings of the Committee and in his absence,	the Member
		of the Committee present at the meeting shall, from among themselves, select someone to preside	de.
		d) Full minutes of all proceedings at meetings shall be maintained by the Secretary. Minutes of shall be circulated to Member of the Committee prior to the next meeting. A copy of al meetings shall be duly signed by the Chairperson and the Secretary at the next meeting and Secretariat.	l minutes of
The Committee r	nay regulate	Subject to the provision of this Schedule, the Member of the Committee may regulate its own operation	ns
its own proceeding	ngs		

The principal act is amended by modifying Schedule of the Act

### **SCHEDULE**

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(Made under section 40 (1)

#### LIST OF OFFENCES THAT MAY BE COMPOUNDED

- 1. Artisanal fishers fishing without license.
- 2. Collecting fish or fishery products without valid license.
- 3. Artisanal fishers fishing using unregistered vessel.
- 4. Permitting others to use unregistered vessel for fishing.
- 5. Transporting of fish or fishery products without movement permit;
- 6. Transportation of fish or fishery products without approval certificate of a vessel or vehicle;
- 7. Exporting of fish or fishery products without export license or paying export royalty

- 8. Possession, storing, export or trading of Nile Perch fish of total length less than 50 cm and above 85 cm.
- 9. Possession, storing, export or trading of fish maws from Nile Perch of total length less than 50 cm and or above 85 cm
- 10. Violating fish, fishery products quality Management and standards,
- 11. Possess, store, sell use or cause another person to use illegal fishing gears and metho

Sheria hii inarekebishwa kwa kuboresha mpangilio wa sheria hii

#### **MPANGILIO**

(Imetungwa chini ya kifungu 40 (1)

#### ORODHA YA MAKOSA KUWA COMPOUNDED

- 1. Wavuvi wadogo wanaovua bila kuwa na leseni.
- 2. Kukusanya samaki au mazao ya uvuvi bila leseni halali.
- 3. Wavuvi wadogo wanaotumia vyombo visivyosajiliwa.
- 4. Ukiruhusu wengine kutumia chombo zisizosajiliwa
- 5. Usafirishaji wa samaki au mazao ya Uvuvi bila kibali
- 6. Usafirishaji wa samaki au mazao ya Uvuvi bila cheti cha udhibitisho cha idhini ya chombo au gari kusafisha mazao ya Uvuvi;
- 7. Kusafirisha samaki au mazao ya uvuvi bila leseni ya usafirishaji au kulipia mrahaba
- 8. Kumiliki, kuhifadhi, usafirishaji au biashara ya samaki aina ya sangara wenye urefu chini ya sm 50 au zaidi ya sm 85.
- 9. Kumiliki, kuhifadhi, usafirishaji au biashara ya Mabondo ya Sangara kutokana na Sangara wenye urefu chini ya sentimita 50 zaidi ya sentimita 85.
- 10. Kukiuka masharti ya ubora mazao ya uvuvi, usimamizi na viwango,

44.77 1919 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
11.Kumiliki, kuhifadhi, kuuza, matumizi au kusababisha mtu mwingine kutumia zana au njia haramu za Uvuvi	