

**THE ZANZIBAR ENVIRONMENTAL MANAGEMENT  
 ACT NO. 3 OF 2015**

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**BAN ON PLASTIC BAGS REGULATIONS**  
**[Made under section 86]**

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**IN EXERCISE** of the powers conferred upon me under section 86 of the Zanzibar Environmental Management, Act, No 3 of 2015, **I, MOHAMMED ABOUT MOHAMMED**, Minister of State, Second Vice President's Office, do hereby make the following Regulations. L.N. 63 of 2018

**PART ONE**  
**PRELIMINARY PROVISIONS**

**1.** These Regulations may be cited as the Ban on Plastic Carry Bags Regulations of 2018, and shall come into force up on being signed by the Minister and published in the Official Gazette. Short title and commencement.

**2.** In these Regulations unless the context requires otherwise: Interpretation.

“Act” means Zanzibar Environmental Management Act No. 3 of 2015;

“Authority” means Zanzibar Environmental Management Authority established under section 14 of the Act;

“Director General” means the Government Officer appointed under section 21(1)(a) of the Act;

“Hazardous substance” means any chemical, waste, gas, medicine, drug, plant, animal or micro organism which is likely to be injurious to human health, life or environment;

“Import” means to bring into Zanzibar plastic carry bag through any port or airport or through any other place in Zanzibar;

“Plastic Carry Bag” means a single or multiple use bag made of thin, flexible, plastic film layer of any thickness, with or without handles, and with or without gussets;

“Plastic raw materials” means plastic rolls, sheets, film, chips and bags used for agricultural or industrial production or packaging;

“Sell” means to exchange plastic carry bag for money in any place of Zanzibar;

“Store” means putting, depositing or keeping in storage or warehouse, room, house or shop for any purpose whatsoever;

“Supply” means make plastic carry bag available to a person;

“Transport” means shifting, conveying or transferring from one place to another.

“Possess” means having, carrying, owning or have under control.

Application. **3.** These Regulations shall apply to a person who sells, imports, manufactures, possesses, litters, burns, transports, supplies or use any plastic carry bag in Zanzibar for any purpose whatsoever.

Prohibition. **4.-(1)** A person shall not manufacture, import, store, sell, transport, supply, possess, litter, burn or use any plastic carry bag in Zanzibar for any purpose whatsoever.

(2) A person who contravenes these Regulations commits an offence and upon conviction shall be liable to a fine or penalty as prescribed in the respective provision of these Regulations.

**5.-(1)** Any plastic carry bag seized under these Regulations shall be confiscated by the Government. Confiscation and Disposal.

(2) A person shall not dispose any plastic carry bag in Zanzibar for any purpose whatsoever without a permit issued by the Authority.

(3) Notwithstanding the provision of Regulation 4(1) of these Regulations, any plastic carry bag confiscated under these Regulations shall be disposed by authorized Institution in accordance with the procedures as it shall be determined by the Authority.

**6.-(1)** Notwithstanding any provision of these Regulations, a person who intends to import plastic carry bags for humanitarian, emergency, disaster or health services shall be required to: Exemption.

- (a) Fill application form under schedule I of these Regulations; and
- (b) Submit an application form accompanied with application letter to the Authority.

(2) Director General or a person acting on his behalf, upon satisfied with reasons and particulars prescribed under Regulation (1) of this Regulation shall issue a permit to import and uses of plastic carrying or shopping bags.

(3) The decision by the Director General or any other person acting on his behalf to issue an exemption permit shall be made on the basis of the fulfillment of the submissions made by an applicant in accordance with Sub-regulation (1) of this regulation.

**7.-(1)** A person who intends to import , export, possess, transport, store or use the plastic raw material for agricultural, industrial or waste management purposes shall be required to: Uses of plastic raw materials.

- (a) Fill application form under Schedule 1 of these Regulations;
- (b) Submit form and application letter to the Authority.

(2) Director General or a person acting on his behalf, upon satisfied with reasons and particulars submitted under Regulation (1) of this Regulation shall issue a permit to import, possess, transport, store or use of plastic raw material for the purpose of agriculture, industrial or waste management.

(3) A person who has been given a permit under these Regulations shall be required to pay a fee to the Authority as it shall be determined by the Authority.

(4) A person who contravenes Regulation 6(1) and 7(1) of these Regulations commits an offence and upon conviction be liable to pay a fine of not less than one million Tanzanian shillings and does not exceed three millions Tanzanian Shillings or the court may order the closure of the business.

Conditions  
for permit.

**8.-(1)** A permit issued under these Regulations shall:

- (a) be not transferred to another person;
- (b) be not used for any other purposes rather than the prescribed uses;
- (c) be used only once; and
- (d) be used within a time limit as it shall be determined by the Authority.

(2) A person who contravenes this Regulation commits an offence and upon conviction be liable to pay a fine of not less than three hundred thousand Tanzanian shillings and does not exceed two million Tanzanian shillings or imprisonment for not less than three months and does not exceed one and half year or both such fine and imprisonment.

**9.**-(1) The cost of disposal shall be borne by an offender as determined by the Authority.

Duty to pay Disposal cost.

(2) The cost for disposal shall be ten percent of the fine imposed.

(3) The disposal cost shall be paid and be deposited directly to the Account of the Authority.

(4) If a person fails to pay disposal cost shall be liable to imprisonment of a term of not less than six month.

**10.**-(1) A person who manufactures or imports any plastic carry bag in Zanzibar if the weight of the plastic carry bags does not exceed five kilograms a fine shall be not less than one hundred thousand Tanzania shillings and not more than two hundred thousand Tanzania shillings or imprisonment for a term of not less than one month and not more than three months or both such fine and imprisonment.

Prohibition of manufacturing or importation of plastic bags.

(2) A person who manufactures or imports any plastic carry bag in Zanzibar if the weight of the plastic carry bags exceeds five kilograms but does not exceed one ton a fine shall be not less than two hundred thousand Tanzania shillings and not more than five hundred thousand Tanzania shillings or imprisonment for a term of not less three months and not more than five months or both such fine and imprisonment.

(3) A person who manufactures or imports any plastic carry bag in Zanzibar If the weight of the plastic carry bag exceeds one ton and not more than ten tons a fine shall be not less than five hundred thousand Tanzania Shillings and not more than one million Tanzania Shillings imprisonment for a term of not less than five months and not more than one year or both such fine and imprisonment.

(4) A person who manufactures or imports any plastic carry bag in Zanzibar if the weight of the plastic carry bag exceeds ten tons a fine shall be not less than one million Tanzania shillings or imprisonment for a term of not less than one year or both such fine or imprisonment.

Prohibition of sell, transports, supplies, possesses, or store plastic bags.

**11.-(1)** A person who stores, sells, transports, supplies or possesses any plastic carry bag in Zanzibar if the weight of the plastic carry bags does not exceed five kilograms a fine shall be fifty thousand Tanzania Shillings and not more than one hundred thousand Tanzania Shillings or imprisonment for a term of not less than fifteen days and not more than one month or both such fine and imprisonment.

(2) If the weight of the plastic carry bags does not exceed one tone a fine shall be not less than one hundred thousand Tanzania Shillings and not more than three hundred thousand Tanzania Shillings or imprisonment for a term of one month and not more than three month or both such fine and imprisonment.

(3) If the weight of the palstic carry bags exceed one ton and does not exceed ten ton a fine shall be not less than three hundred thousand Tanzanian Shillings and not more than one million Tanzania Shillings or imprisonment for a term of not less than three months and not more than one year or both such fine and imprisonment .

(4) if the weight of plastic carry bags exceed ten ton a fine shall be not less than one million Tanzania Shillings or imprisonment for a term of not less than one year or both such fine and imprisonment.

Prohibition of uses of plastic bags.

**12.-(1)** A person who uses any plastic carry bag in Zanzibar if the quantity of the plastic carry bag does not exceed ten plastic carry bags a fine shall be thirty thousand shillings imprisonment for a term of one week or both such fine and imprisonment.

(2) A person who uses any plastic carry bag in Zanzibar if the quantity of the plastic carry bags exceeds ten plastic bags but does not exceed fifty bags a fine shall be fifty thousand Tanzania shillings and not more than one hundred thousand Tanzania Shillings or imprisonment for a term of not less than fifteen days and not more than one month or both such fine and imprisonment.

Prohibition of burning plastic bags.

**13.-(1)** A person who burns any plastic carry bag in Zanzibar commits an offence if the weight of plastic carry bags is less than one

kilogram and does not exceed five kilograms a fine shall be not less than thirty thousand Tanzania shillings and not more than one hundred thousand Tanzania shillings or imprisonment for a term of not less than fifteen days and not more than one month or both such fine and imprisonment.

(2) A person who burns any plastic carry bag in Zanzibar commits an offence If the weight of plastic carry bags exceed five kilograms and does not exceed one ton a fine shall be not less than one hundred thousand Tanzania shillings and not more than five hundred thousand Tanzania shillings or imprisonment for a term of not less than one months and not more than five months or both such fine and imprisonment.

(3) A person who burns any plastic carry bag in Zanzibar commits an offence If the weight of plastic carry bags exceed one ton and not more than ten tons a fine shall be not less than five hundred thousand Tanzania shillings and not more than two million Tanzania shillings or imprisonment for a term of not less than five months and not more than one and half year or both such fine and imprisonment.

(4) A person who burns any plastic carry bag in Zanzibar commits an offence If the weight of plastic carry bags exceed ten tons a fine shall be not less than two million Tanzania shillings and not more than five million Tanzania shillings or imprisonment for a term of not less than two years and not more than five years or both such fine and imprisonment

**14.**-(1) A person who litters any place with plastic carry bags commits an offence and upon conviction shall be liable to if the weight of the plastic carry bags is less than one kilogram but does not exceed five kilograms or a fine of not less than thirty thousand Tanzania shillings and not more than one hundred thousand Tanzania shillings or imprisonment for a term of not less than fifteen days and not more than one month or both such fine and imprisonment.

Prohibition of littering plastic bags.

(2) A person who litters any place with plastic carry bags commits an offence and upon conviction shall be liable to if the weight of the plastic carry bags exceeds five kilograms but does not exceed one ton a fine of not less than one hundred thousand Tanzania shillings and not more than five million Tanzania shillings or imprisonment for a term of not less than one year and not more than five years or both such fine and imprisonment.

(3) A person who litters any place with plastic carry bags commits an offence and upon conviction shall be liable to if the weight of the plastic carry bags exceeds one ton a fine of not less than five million Tanzania shillings and not more than thirty million Tanzania Shillings or imprisonment for a term of not less than five years and not more than ten years or both such fine and imprisonment

Com-  
pounding  
offence.

**15.-(1)** If an offender agreed to be compounded subject to section 77 of the Act shall fill a form under Schedule 2 of these Regulations and shall pay sum of the money as a fine as it shall be determined by the Authority.

(2) The Authority shall issue receipt for the payment of such fine.

(3) Without prejudice to the provision of this Regulation, an offender shall pay the prescribed fine within three working days from the date of signing the form.

General  
penalty.

**16.** A person who contravenes any provision of these Regulations where no specific penalty is prescribed, shall be liable to a fine of not less than one hundred thousand Tanzanian shillings and not exceeding five million shillings or imprisonment for a term of not less than three months and not exceeding five years or both fine and imprisonment.

Repeal  
and  
saving.

**17.** The Legal Notice No.113 issued by Vol. CXX No. 6428 of 18<sup>th</sup> November, 2011 is hereby repealed.

**SCHEDULE 1  
APPLICATION FORM**

**THE REVOLUTIONARY GOVERNMENT OF ZANZIBAR**

**THE ENVIRONMENTAL MANAGEMENT ACT NO. 3 OF 2015  
The Ban on Plastic Carry Bags Regulations, 2018**

**FORM NUMBER 1: IMPORT, EXPORT, POSSESSION,  
TRANSPORTATION, STORAGE OR THE USE OF THE  
PLASTIC RAW MATERIALS OR PLASTIC CARRY BAGS FOR  
AGRICULTURAL, INDUSTRIAL OR WASTE MANAGEMENT  
PURPOSES**

**[Made under regulation 6 (1) (a) or 7(1)(a)]**

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**1.0 PARTICULARS OF THE APPLICANT:**

1.1 Full Name: .....

1.2 Address for correspondence: .....

.....

Contact person: .....

Position: .....

Address: .....

Phone No.:..... Fax No.: .....

E: mail:.....

**2.0 PURPOSE AND DETAILS OF THE APPLICATION:**

2.1 State the Reason for import, export, possess, transport, store or use  
of plastic raw materials/plastic carry bags: .....

.....

.....

2.2 Type:.....

- 2.3 Amount.....
- 2.4 Size: .....
- 2.5 Expected date of arrival: .....
- 2.6 Place of Storage: .....
- 2.7 Port of entry: .....
- 2.8 Duration of storage.....
- 2.9 Uses: .....
- 2.10 Duration of uses:.....
- 2.11 If need to be disposed: specify the amount to be disposed:.....
- 2.12 Indicate the proposed date for disposal: .....

Declaration:

I ..... declare that, the information stated here above is true to best of my knowledge.

.....

Signature of Applicant

Date:.....

**FOR OFFICE USE ONLY**

Comment from the Relevant Head of Section:

.....  
.....

Full name: .....

Signature: .....

Date:.....

Decision for the Director General of the Authority:

.....  
.....

Signed and sealed

.....

Name: .....

**SCHEDULE 2  
WRITTEN STATEMENT**

**THE REVOLUTIONARY GOVERNMENT OF ZANZIBAR**

**THE ENVIRONMENTAL MANAGEMENT ACT NO. 3 OF  
2015**

**The Ban on Plastic Carry Bags Regulations, 2018**

**FORM NUMBER 2: COMPOUNDING FORM TO BE  
FILLED AND SIGNED BY OFFENDER WHO AGREED TO PAY  
SOME OF THE MONEY AS A FINE  
[Made under regulation 15 (1)]**

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**WRITTEN STATEMENT**

TO: .....  
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.....

I .....do hereby  
admit to commit an offence of .....  
(in violation of the Zanzibar Environmental Management Act, 2015  
and its Regulations) on the .....day of .....  
20.....

Upon hearing the offence, I ....., admit to pay  
the sum of Tanzanian Shillings .....  
as a penalty and if such payment is not made on/or before the said  
.....day of .....20.....the Zanzibar Environmental  
Management Authority shall take other disciplinary measure as per The  
Zanzibar Environmental Management Act No. 3 of 2015.

