

LEGAL NOTICE NO.

THE FISHERIES ACT, NO.7 OF 2010

MARINE CONSERVATION UNIT (AMENDMENT) REGULATIONS, 2024

[Made under section 19(3)]

IN EXERCISE of the powers conferred upon me under section 19(3) of the Fisheries Act, No.7 of 2010, **I, SHAABAN ALI OTHMAN**, Minister for Blue Economy and Fisheries, do hereby amend the Marine Conservation Unit Regulations, 2014 as follows:

**PART ONE
PRELIMINARY PROVISIONS**

Short title and commencement. **1.** These Regulations may be cited as the Marine Conservation Unit (Amendment) Regulations, 2024 and shall come into operation after being signed by the Minister.

Construction. **2.** These Regulations shall be read as one with the Marine Conservation Unit Regulation, 2014 hereinafter referred to as the “Principal Regulation”.

Amendment of regulation 2 **3.** Regulation 2 of the Principal Regulation is amended by adding the interpretation of a new word “special area” means a marine sanctuary or a marine no-take zone or marine corridor as long as that declaration provide specific assurance that all of the purposes of these regulations are upheld;

**PART TWO
AMENDMENT PROVISIONS**

Amendment of regulation 11. **4.** Regulation 11 of the Principal Regulation is amended by adding new subregulation (3), (4) and (5) immediately after subregulation (2) as follows:

“(3) Where a member of the Fishermen’s Executive Committee fails to execute his responsibilities in accordance with the provisions of these Regulations, a disciplinary action shall be taken by the Principal Secretary against such member.

(4) Subject to the provisions of subregulation (3) of this regulation, the Principal Secretary may appoint any person to investigate such allegation against such member with regard to his execution of his responsibilities.

(5) The Principal Secretary may suspend, remove or dismiss such member or members of the Fishermen’s executive committee if he

is satisfied and has reason to believe that such member does not execute his responsibilities in accordance with these Regulations.”

Amendment of regulation 19.

5. Regulation 19 of the Principal Regulation is amended by:

- (a) deleting subregulation (3) and substituting it with a new subregulation (3) as follows:

“(3) The money collected under subregulation 2(c) of this regulation shall be used in the following manner:

- (a) twenty five percent of the gross income shall be retained to the Treasury;
(b) seventy five percent shall be transferred to the Unit.

- (b) adding new subregulation (4) immediately after subregulation (3) as follows:

“(4) The money collected under subregulation 3(b) of this regulation shall be distributed as follows:

- (a) thirty percent for supporting community’s conservation and development activities in the respective conservation area; and
(b) seventy percent shall cover operational costs for the management of the controlled areas.”

Repeal and replacement of regulation 22.

6. The Principal Regulation is amended by repealing regulation 22 and replacing it with a new regulation 22 as follows:

“Offences and penalty. **22.**-(1) A person who:

- (a) camps for any purpose whatsoever within the controlled areas without written permission;
(b) practices or undertakes any destructive activity within the controlled areas;
(c) anchors or moors within the controlled areas for the purpose of carrying out water sport activities, filming and research or study tour save under a written permit issued by the Director and upon reasonable payment of fees prescribed in this regulation;
(d) undertakes any activity within controlled area without payment of the prescribed fees for such activity;

(e) removes corals from the controlled areas, or undertake any act that may cause pollution within the controlled areas,

commits an offence and shall, upon conviction, be liable to a fine of not more than Five Million Shillings or imprisonment for a term not less than two months or both such fine and imprisonment.

(2) Notwithstanding subregulation (1)(c) of this regulations, water sport activities, anchoring or mooring permitted to be undertaken within the Area shall not destroy marine ecosystems or environment of the Area.

Repeal and replacement of regulation 23.

7. The Principal Regulation is amended by repealing regulation 23 and substituting it with a new regulation 23 as follows:

“General penalty.

23. A person who contravenes any provision of these Regulations where no penalty is specific provided, commits an offence and shall, upon conviction, be liable to a fine of not more than Three hundred thousand United State Dollars or its equivalent to Tanzania Shillings or imprisonment for term of not less than one month or to both such fine and imprisonment.

Addition of Schedule B.

8. The Principal Regulation is amended by adding Schedule B as follows:

SCHEDULE B

FEES PAYABLE TO THE ACTIVITIES UNDERTAKEN IN THE CONTROLLED AREAS [Made under regulation 21(1)]

A. ENTRANCE FEES FOR EACH PERSON PER DAY IN MARINE CONSERVATION AREA IN UNGUJA

	Age Categories	Foreign	Citizen and Resident
1.	For each person of the age of 16 years or above	US\$ 3	Tshs. 1000
2.	Between the age of 5 years and 15 years	US\$ 2	Tshs. 1000
3.	Children below the age of 5 years	Free	Free

B. ENTRANCE FEES FOR EACH PERSON PER DAY IN MARINE CONSERVATION AREA PEMBA

	Age Categories	Foreign	Citizen and Resident
1.	For each person of the age of 16 years or above	US\$ 5	Tshs. 1000
2.	Between the age of 5 years and 15 years	US\$ 2	Tshs. 1000
3.	Children below the age of 5 years	Free	Free

C. ENTRANCE FEES FOR EACH PERSON PER DAY IN SPECIAL AREAS FOR CONSERVATION WITHIN MARINE CONSERVATION AREAS

	Age Categories	Foreign	Resident	Citizen
1.	For each person of the age of 16 years or above	US\$ 25	US\$ 12	US\$ 10
2.	Between the age of 5 years and 15 years	US\$ 10	US\$ 10	US\$ 5
3.	Children below the age of 5 years	Free	Free	Free

D. ENTRANCE FEES/CONSERVATION FEES FOR EACH PERSON PER DAY IN SMALL ISLANDS FACILITIES, CAMPING AND ACCOMMODATION ON JETTIES, FLOATING ACCOMMODATION FACILITIES

	Categories of Facilities	FEES
1.	Small island resort	US\$ 30 - 100 per day
2.	Accommodation on Jetties/Pontelo/floating rooms	US\$ 10 per day
3.	Camping	US\$ 10 per day

E. BOATS ANCHORING FEES WITHIN MARINE CONSERVATION AREAS

1.	Cruise ship/large tourist boat	US\$ 200 per day
2.	Local registered leisured boat/yacht/catamaran/dhow/submarine	US\$ 20 per day
3.	Foreign registered leisure boat/yacht/catamaran/dhow/submarine	US\$ 50 per day
4.	Floating restaurant	US\$ 20 per day
5.	Jetty	US\$ 20 per day

F. COMMERCIAL FILMING FEES:

Activity	Foreign	Citizen and Resident
Image capture of any type, i.e still photograph, motion picture photograph, still, or conventional video imaging, for commercial purposes including Drones	US\$ 100 per day	Tshs. 100,000 per day

G. RESEARCH

Activity	Foreign	Citizen and Resident
Research	US\$ 50 per day	Free

SIGNED on this..... day of, 2024

(SHAABAN ALI OTHMAN)
MINISTER FOR BLUE ECONOMY AND FISHERIES
ZANZIBAR

