

## THE UNITED REPUBLIC OF TANZANIA

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THE PREVENTION OF TERRORISM ACT,  
 (CAP. 19)

**REGULATIONS***(Made under sections 12(5), 12A(2) and 48(2))*

THE PREVENTION OF TERRORISM (GENERAL) (AMENDMENT)  
 REGULATIONS, 2023

Citation

GN. NO.  
 379 of 2022

Amendment  
 of regulation  
 4

**1.** These Regulations may be cited as the Prevention of Terrorism (General) (Amendment) Regulations, 2023 and shall be read as one with the Prevention of Terrorism (General) Regulations, 2022 hereinafter referred to as “the principal Regulations”.

**2.** The principal Regulations are amended in regulation 4 by deleting subregulations (3), (4) and (5) and substituting for them the following:

“(3) The Financial Intelligence Unit shall-

- (a) monitor the United Nations Security Council consolidated list on a daily basis;
- (b) update the designation or sanction list on its website, within twelve hours after a designation or update of sanction list is made by the Security Council; and
- (c) circulate the updated designation or sanction list through official electronic communication or any other viable communication means to-
  - (i) competent authorities;
  - (ii) reporting persons;
  - (iii) the national security organs

specified in the Constitution of the United Republic; and

(iv) any other person who has the responsibility under these Regulations to-

(aa) detect, freeze or seize the funds or the property of a designated entity under any written law; or

(bb) take such action as may be necessary to give effect to Resolution 1267, 1373, 1718, 1988 or such other relevant United Nations Security Council Resolution.

(4) The circulation made by the Financial Intelligence Unit under subregulation (3) shall, within twelve hours of receipt thereof and without any further notice, be subject to implementation of targeted financial sanctions under regulations 19, 20, 25 and 26.

(5) Any person with respect to the circulated designation or sanction list pursuant to subregulation (3), shall, within twenty-four hours of implementing the targeted financial sanctions in accordance with subregulation (4), notify the Minister, and copy the notification to the Police Force and Financial Intelligence Unit, of any funds or asset freeze effected pursuant to this regulation and the Minister may provide guidance to the person holding funds or asset of a designated person as to the management of the said funds or other assets.

(6) Notwithstanding any period of time provided for any action under this regulation, the implementation of targeted financial sanctions under this regulation shall, strictly, take place within twenty-four hours from the time the designation is made by the Security Council. ”.

Amendment  
of regulation  
5

3. The principal Regulations are amended in regulation 5(3) by adding the words “or against a party who has been identified in the United Republic and whose designation is being proposed for designation by Security Council or under any Security Council Resolution”

immediately after the word “regulation”.

Amendment  
of regulation  
6

4. The principal Regulations are amended in regulation 6-

- (a) in subregulation (1) by-
  - (i) deleting paragraph (g); and
  - (ii) renaming paragraphs (h), (i) and (j) as paragraphs (g), (h) and (i) respectively; and
- (b) by adding immediately after subregulation (3) the following:

“(4) The proceedings of the Committee under this regulation shall be conducted *ex parte*.”.

Amendment  
of regulation  
10

5. The principal Regulations are amended in regulation 10, by-

- (a) deleting the word “entity” appearing in subregulation (2) and substituting for it the word “party”; and
- (b) deleting a reference to “regulation 4(6)” appearing in subregulation (4)(c) and substituting for it a reference to “regulation 4”.

Amendment  
of regulation  
15

6. The principal Regulations are amended in regulation 15-

- (a) by deleting an article “A” at the beginning of subregulation (1) and substituting for it the words “The Minister or a”;
- (b) by deleting the words “an entity” appearing in subregulation (2) and substituting for them the words “the Minister or a party”;
- (c) by inserting the words “the Minister or” between the words “made by” and “a designated” appearing in the opening phrase of subregulation (3);
- (d) by adding the words “by a party designated to a Security Council Resolution or any person with a legitimate interest” immediately after the word “de-listing” appearing in subregulation (4);
- (e) by adding immediately after subregulation (4) the following:

“(5) A request made by the Minister under subregulation (1) shall be *ex parte* and contain the

following information:

- (a) explanation as to why the designation does not or no longer meets the listing criteria by countering the reasons for listing as stated in the list entry for that particular designated party;
- (b) the designated party's current occupation or activities, and any other relevant information, such as information on assets;
- (c) any documentation supporting the request together with the explanation of its relevance; and
- (d) in the case of a deceased person, a death certificate or similar official documentation confirming the death whenever possible and whether or not any legal beneficiary of the deceased's estate or any joint owners of such assets is on the sanctions lists.”;
- (f) by renumbering subregulations (5) to (12) as subregulations (6) to (13) respectively;
- (g) in subregulation (8) as renumbered by deleting a reference to “subregulation (6)” and substituting for it a reference to “subregulation (7)”;
- (h) in subregulation (10)” as renumbered by deleting a reference to “subregulation (8)” and substituting for it a reference to “subregulation (9)”.

Amendment  
of regulation  
18

**8.** The principal Regulations are amended in regulation 18 by adding immediately after subregulation (2) the following:

“(3) A request under this regulation may contain a statement as to whether the status of United Republic as a designating state may be made known.”.

Amendment  
of regulation  
20

**9.** The principal Regulations are amended in regulation 20, by-

- (a) deleting subregulation (2) and substituting for it the following:

“(2) A reporting person and any other

person in possession of funds or other assets of the designated party or any person acting on behalf of, or at the direction of, or for the benefit of, or controlled by, a designated party, shall, without notice and without delay, freeze such funds or other assets in accordance with the provisions of these Regulations.”; and

- (b) adding the words “and any attempted or other transactions of the designated party or action taken in compliance with the prohibition requirements of the relevant United Nations Security Council Resolution” immediately after the word “assets” appearing at the end of subregulation (4).

Addition of  
regulation  
20A

**10.** The principal Regulations are amended by adding immediately after regulation 20 the following:

“Un-  
freezing  
order by  
Minister

**20A.**-(1) Where freezing mechanism has been imposed against the funds or assets of a person or entity with the same or similar name as designated party due to false positive identification and that person or entity has been inadvertently affected by such freezing, the reporting person and any other person shall, upon verification that the person or entity involved is not a designated party, without delay notify the Minister and authorities referred to in regulation 4(3).

(2) The Minister shall, upon receipt of the notification under subregulation (1), order the Police Force and Financial Intelligence Unit to conduct further verification and report to him within twenty-four hours.

(3) The Minister shall, upon receipt of the verification report under subregulation (2), issue un-freezing order to the reporting person and any other person in possession or controlling the assets or funds.

(4) The person who makes verification pursuant to subregulation (2) shall keep and maintain records of such verification.”.

Amendment

**11.** The principal Regulations are amended in

of regulation  
21

regulation 21 by deleting subregulation (6) and substituting for it the following:

“(6) The Minister shall notify the listed party and provide guidance to reporting persons and any other person in possession of funds or assets of designated party, of the decision of the United Nations Sanctions Committee upon being made, provided that-

(a) for ordinary expenses, in the absence of a decision within five working days of the notification under subregulation (5), it shall be deemed that the relevant United Nations Sanctions Committee has not objected to the use of the funds or other assets, or any part thereof; and

(b) for extraordinary expenses, until the United Nations Sanctions Committee has communicated its no objection to the use of such fund or other assets or any part thereof.”.

Dodoma,  
21<sup>st</sup> November, 2023

HAMAD Y. MASAUNI,  
*Minister for Home Affairs*

