

CHAPTER 19
THE PREVENTION OF TERRORISM ACT
[PRINCIPAL LEGISLATION]
ARRANGEMENT OF SECTIONS

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CHAPTER 19

THE PREVENTION OF TERRORISM ACT

An Act to provide for comprehensive measures of dealing with terrorism, to prevent and to co-operate with other states in the suppression of terrorism and to provide for related matters.

[15th June, 2003]

[GN. No. 180 of 2003]

Acts Nos.
21 of 2002
6 of 2012
10 of 2013
8 of 2015
4 of 2016
7 of 2018
14 of 2019
2 of 2022

PART I

PRELIMINARY PROVISIONS

Short title 1. This Act may be cited as the Prevention of Terrorism Act.

Application 2.-(1) This Act shall apply to Mainland Tanzania as well as to Tanzania Zanzibar.

(2) A person who commits an offence punishable under this Act beyond the United Republic shall be dealt with under this Act in the same manner as if the act constituting an offence was committed in the United Republic.

Interpretation 3. In this Act, unless the context otherwise requires-

Acts Nos. “Act” means the Prevention of Terrorism Act;

6 of 2012 s. 24 “aircraft” includes an aeroplane, glider and helicopter;

10 of 2013 s. 49 “communication” means a communication received or
2 of 2022 s. 34 transmitted by post, telegraphic, telephone or other
communication received or transmitted by electricity,
magnetism, or other means;

“communication service provider” means a person who provides services or the transmission or reception of communication;

“Court” means the High Court of Tanzania and, as the case may be, the High Court of Zanzibar;

Cap. 423 “Commissioner of Financial Intelligence Unit” shall have the meaning ascribed to it under the Anti-Money Laundering Act;

Cap. 342 “financial institution” means a commercial bank or any other institution which makes loans, advances, investments or accepts deposits of money as defined under the Banking and Financial Institutions Act;

Cap. 423 “Financial Intelligence Unit” also known by its acronym “FIU” means an extra ministerial department established under section 4 of the Anti-Money Laundering Act;

“funds” includes-

- (a) assets of any kind, whether tangible or intangible, movable or immovable by whatever means acquired;
- (b) legal document or instrument in any form, including electronic or digital, evidencing title to, or interest in such assets; and
- (c) bank credits, traveler’s cheque, bankers cheque, money orders, shares, bonds and other securities, draft and letters of credits;

“group or entity” means a person, group, trust, partnership, fund or an unincorporated association or organisation;

“Master” in relation to a vessel, means the owner or a person for the time being in charge or command or control of a vessel;

“Minister” means the Minister responsible for home affairs;

“operator” in relation to an aircraft, means the owner or person for the time being in charge or command or control of an aircraft;

“police officer” means, except where the context otherwise requires, police officer of or above the rank of Assistant Superintendent of Police;

“proceeds of terrorism” means all kinds of properties which have been derived or obtained from commission of funds traceable to a terrorist act, and include cash irrespective of a person in whose name such proceeds are standing or in whose possession or control they are found;

Cap. 423

“proliferation financing” shall have the meaning ascribed to it under the Anti-Money Laundering Act;

Cap. 256

“property” has the same meaning as ascribed to it in the Proceeds of Crime Act; and

“terrorist act” means an act or omission referred to under section 4 of the Act and the expression “terrorist” shall be construed accordingly.

Act No.
2 of 2022 s. 35

PART II

PROHIBITION OF ACTS OF TERRORISM AND PROLIFERATION FINANCING

(a) Prohibition of Acts of Terrorism

Definition and
prohibition for
terrorism act
Act No.
2 of 2022 s. 36

4.–(1) A person within or outside the United Republic who commits a terrorist act commits an offence.

(2) A person commits a terrorist act if the act or omission is committed with the aim of-

- (a) seriously intimidating or causing fear amongst members of the public or a section of the public;
- (b) seriously intimidating or compelling the Government or an international organisation to do or refrain from any act; or
- (c) seriously destabilising the religious, political, constitutional, economic or social institutions of a country or an international organisation.

(3) The term “terrorist act” means, an act or threat of action or omission which involves:

- (a) an attack upon a person’s life which may cause death or serious bodily harm;
- (b) the kidnapping of a person;

- (c) serious damage to property;
- (d) a serious risk to the health or safety of the public or a section of the public;
- (e) the use of firearms or explosives;
- (f) releasing into the environment or any part of it or distributing or exposing the public or any part of it to any-
 - (i) dangerous, hazardous, radioactive or harmful substance;
 - (ii) toxic chemical; or
 - (iii) microbial or other biological agent or toxin;
- (g) disruption of any computer system or the provision of services directly related to communications infrastructure, banking or financial services, utilities, transportation or other essential infrastructure; or
- (h) disruption of the provision of essential emergency services such as police, civil defence or medical services.
- (4) An act which-
 - (a) only disrupts services; and
 - (b) is committed in pursuance of a protest, demonstration or stoppage of work,

shall be deemed not to be a terrorist act within the meaning of this section, so long as the act is not intended to result in any harm referred to under subsection (2).

Commission
of offence of
terrorist meeting

5. A person commits an offence who-

- (a) arranges, manages or assist in arranging or managing or participates in a meeting or an act knowingly that it is concerned with an act of terrorism;
- (b) provides logistics, equipment or facilities for a meeting or an act knowingly that it is concerned with an act of terrorism; or
- (c) attends meeting knowing that it supports a proscribed organisation or to further the objectives of a proscribed organisation.

Offence of
proscribed
organisation for
commission of
terrorist act

6.-(1) Where two or more persons associate for the purpose of, or where an organisation engages in any act for the purpose of-

- (a) participating, or collaborating, in an act of terrorism;
- (b) promoting, encouraging or exhorting others to commit an act of terrorism; or
- (c) setting up or pursuing acts of terrorism,

Act No.
10 of 2013 s. 50

the Minister shall declare such person or organisation to be a proscribed organisation.

(2) A person who belongs, or professes to belong, to a proscribed organisation, commits an offence.

(3) It shall be a defence for a person charged under subsection (2) to prove that, the organisation in respect of which he is charged had not been declared a proscribed organisation at the time the person charged became a member or began to profess to be a member of that organisation and that he has not taken part in the activities of that organisation at any time after it had been declared to be a proscribed organisation.

Rendering
support to
terrorism
Act No.
2 of 2022 s. 37

7.-(1) A person commits an offence who, in any manner or form-

- (a) solicits support for, or tenders support in relation to, an act of terrorism; or
- (b) solicits support for, or tenders support to, a terrorist or proscribed organisation.

(2) "Support" as used in subsection (1), means and includes-

- (a) instigation to the cause of terrorism;
- (b) offering of material assistance or weapons including biological, chemical or nuclear weapons, explosives, training, transportation, false documentation or identification;
- (c) offering of or provision of moral assistance, including invitation to adhere to a proscribed organisation;
- (d) the provision of, or making available such financial or other related services to a terrorist group or entity which is concerned with a terrorist act;

- (e) dealing directly or indirectly, in any property that is owned or controlled by or on behalf of any terrorist or any entity owned or controlled by any terrorist, including funds derived or generated from property owned or controlled, directly or indirectly, by any terrorist or any entity owned or controlled by any terrorist; or
- (f) entering into or facilitating, directly or indirectly, any financial transaction related to a dealing in property referred to in paragraph (e).

Harbouring
terrorists

8. A person who harbours, conceals, or causes to be harboured or concealed, any person whom he knew to have committed or to have been convicted of, an act of terrorism, or against whom he knew that a warrant of arrest or imprisonment in relation to an act of terrorism had been issued, commits an offence.

Possession of
unauthorised
article
information, etc.

9.-(1) A person shall commit an offence under this section who is in possession of any code, password, sketch, plan, model, note or other document, article or information which relates to or is used in a protected place or anything in that place, in contravention of this Act or the Protected Places and Areas Act, or which has been entrusted to that person in confidence by any person holding office, or he had access to office from or which he has obtained or to which that person had access owing to the position or office held by him or as a person who is or was party to a contract with the Government.

Cap. 74

(2) A person who is in possession of anything specified under subsection (1), and who-

- (a) uses it for a terrorist intention or for any purpose prejudicial to the safety or interest of the United Republic;
- (b) communicates such information to any person other than a person to whom there exist an authority to communicate it or to whom it is in the interest of the United Republic to communicate it;
- (c) fails to take proper care of, or so conducts himself as to endanger the safety of that information;

- (d) retains the sketch, plan, model, note, document or article when he has no right or when it is contrary to his duty so to do, or fails to comply with any lawful directions with regard to the return or disposal of such things; or
- (e) uses anything described in paragraphs (a), (b), (c) or (d) for terrorist purposes,

commits an offence against this Act.

(3) A person who receives any code, password, sketch, plan, model, note or other document, article or information, knowingly or having reasonable grounds to believe at the time when receives it that the same is communicated to him in furtherance of or rendering support to terrorist act contravention of the provisions of this Act, unless a proof exist that such communication was against his wish, commits an offence.

Prohibition
against false
threats of terrorist
acts

10.—(1) A person in the United Republic and a citizen of Tanzania outside the United Republic shall not communicate or make available by any means any information which he knows or believes to be false to another person with the intention of inducing in him or any other person a false belief that a terrorist act has been, is being or shall be carried out.

(2) A person in the United Republic and a citizen of Tanzania outside the United Republic shall not place any article or substance in any place whatsoever with the intention of inducing in some other person a false belief that—

- (a) the article or substance is likely to explode or ignite and thereby cause personal injury or damage to property; or
- (b) the article contains or the substance consists of-
 - (i) any dangerous, hazardous, radioactive or harmful substance;
 - (ii) any toxic chemical; or
 - (iii) any microbial or other biological agent, or toxin, that is likely to cause death, disease or personal injury or damage to property.

(3) A person in the United Republic and a citizen of Tanzania outside the United Republic shall not dispatch any

article or substance by post, rail or any other means whatsoever of sending things from one place to another with the intention of inducing in some other person a false belief that-

- (a) the article or substance is likely to explode or ignite and thereby cause personal injury or damage to property; or
- (b) the article contains or the substance consists of-
 - (i) any dangerous, hazardous, radioactive or harmful substance;
 - (ii) any toxic chemical; or
 - (iii) any microbial or other biological agent, or toxin, that is likely to cause death, disease or personal injury or damage to property.

(4) For the purposes of subsections (1), (2) and (3), a reference to a person inducing any other person a false belief does not require the first mentioned person to have any particular person in mind as the person in whom he intends to induce the false belief.

Overriding effect **11.** The provisions of this Act shall have effect notwithstanding anything inconsistent with this Act contained in any enactment other than this Act or in any instrument having effect by virtue of any enactment other than this Act.

Penalties
Act No.
4 of 2016 s. 53
Cap. 16

12.-(1) A person who commits an offence under sections 5, 7 or 8, shall, on conviction, be liable to-

- (a) where the offence causes death, be sentenced in terms of section 197 of the Penal Code;
- (b) where the offence results into serious bodily harm or serious damage to property, be sentenced to life imprisonment; and
- (c) in any other case, imprisonment for a term of not less than thirty years.

(2) A person who commits an offence under section 9 or 10 shall, on conviction be liable to imprisonment for a term of not less than ten years but not exceeding twenty years.

[s. 11A]

(b) Prohibition of Proliferation Financing

Prohibition of
proliferation
financing
Act No.
2 of 2022 s. 38

- 13.** A person who, by any means, directly or indirectly-
- (a) provides or collects funds, technology or services, with an intention or knowledge that the said funds, technology or services may be used, in full or in part, to carry out an act constituting proliferation financing or to any person or jurisdiction or for the benefit of any person designated by the United Nations Security Council; or
 - (b) deals with, enters into or facilitates any transaction or enables the acquisition of a business interest or performs any other act in connection with funds, which such person knows or ought reasonably to have known or suspected to have been acquired, owned, collected, used, possessed or provided for proliferation financing, commits an offence and on conviction, shall be liable to imprisonment for a term of not less than twenty years.

[s. 11B]

PART III**SPECIFIED ENTITIES**

International
terrorism
Acts Nos.
10 of 2013 s. 51
14 of 2019 s. 76
2 of 2022 s. 39

14.-(1) The Minister shall declare any person to be a suspected international terrorist where-

- (a) he reasonably suspects that the person-
 - (i) is or has been concerned in the commission, preparation or instigation of acts of international terrorism;
 - (ii) is a member of, or belongs to, an international terrorist group or entity;
 - (iii) has links with an international terrorist group, and he reasonably believes that the person is a risk to national security;
- (b) the person is listed as a person involved in terrorist acts in any Resolution of the United Nations Security Council or in any instrument of the international community; or

(c) the person is considered as a person involved in international terrorist acts by such State or other international organisation.

(2) Where the Minister makes a declaration under subsection (1)(a), he shall, in such manner as he considers appropriate, cause the person declared to be a suspected international terrorist to be notified as is reasonably practicable.

(3) The Minister shall declare a group to be an international terrorist group if the group-

- (a) is subject to the control or influence of person outside the United Republic, and the Minister reasonably suspects that it is concerned in the commission, preparation or instigation of acts of international terrorism;
- (b) is listed as a group or entity involved in terrorist acts in accordance with the Resolutions of the United Nations Security Council or in any instrument of the international community as may be made; or
- (c) is considered as a group or entity involved in international terrorist acts as the Minister may approve and publish in the *Gazette*.

(4) Reference in this Act to a proscribed organisation shall be deemed to include reference to an international terrorist group and, whenever applicable, to a suspected international terrorist.

(5) The Minister shall, with respect to any suspected international terrorist or an international terrorist group, make regulations to provide-

- (a) for the freezing of his or its funds, financial assets or other economic resources, including funds derived from property, owned or controlled directly or indirectly, by him or it, by persons acting on his or its behalf or at his or its direction;
- (b) for the prevention of his or its entry into, or transit in the United Republic; and
- (c) for the prohibition of the direct or indirect supply, sale and transfer to him or it of arms, weapons,

ammunitions, military vehicles and equipment, paramilitary equipment, spare parts and related material, and technical advice, assistance, or training related to military activities.

(6) A person who contravenes any regulations made under this subsection commits an offence and, on conviction, shall be liable to penal servitude for a period not exceeding five years.

(7) The Minister shall give notice in relation with any declaration made under subsections (1) and (3) in the *Gazette* and in other manner as he deems fit.

(8) In this section-

- (a) “an act of international terrorism” shall be construed as meaning an act of terrorism involving non citizens; and
- (b) an “international terrorist group” means a person or group of persons or an organisation not being a citizen of Tanzania or whose origin is outside Tanzania and who or which is suspected to have committed any of the offences referred to under subsection (1).

[s. 12]

Designation
of domestic
terrorists
Act No.
2 of 2022 s. 40

15.-(1) The Minister may, pursuant to the United Nations Security Council Resolutions, designate any person or entity to be a suspected domestic terrorist, where there are reasonable grounds to believe that-

- (a) a person or an entity is or has been involved in the commission or attempt to commit a terrorist act;
- (b) an entity is owned or controlled, directly or indirectly, by any person or entity designated under paragraph (a); or
- (c) a person or entity is acting on behalf of, or at the direction of, any person or entity designated under paragraph (a).

(2) The Minister may make regulations prescribing the procedures and mechanisms of designating a domestic terrorist under this section.

(3) The provisions of this section shall apply where it is not reasonably practicable to bring the person or entity before the court on a charge relating to terrorism or terrorist financing.

[s. 12A]

PART IV OFFENCES

Prohibition of
financing of
terrorism
Act No.
2 of 2022 s. 41

16. A person who finances terrorism or a person who willfully provides or collects, by any means, directly or indirectly, funds within or outside the United Republic with the intention that the funds may be used, or with the knowledge that they may be used, in order to carry out terrorist acts, commits an offence and on conviction, shall be liable to imprisonment for a term of not less than twenty years.

[s. 13]

Collection of
property or
provision of
property and
services for
commission of
terrorism acts
Act No.
2 of 2022 s. 41

17.-(1) A person who, directly or indirectly, collects property or provides, invites a person to provide, or makes available, property or financial or other related services-

(a) intending that they be used, in whole or in part, for the purpose of committing or facilitating the commission of a terrorist act, or for the purpose of benefiting any person who is committing or facilitating the commission of a terrorist act; or

(b) knowing that in whole or in part, they may be used by, or shall benefit, individual terrorist or a terrorist group, commits an offence and on conviction, shall be liable to imprisonment for a term of not less than twenty years but not more than twenty five years.

(2) Notwithstanding the provisions of subsection (1), it shall not be necessary to prove that the funds or other assets were used for carrying out, attempt, or linked to a terrorist act.

[s. 14]

Prohibition of
terrorism related
to travel
Act No.
2 of 2022 s. 42

18. A person who-

- (a) travels or attempts to travel within or outside the United Republic; or
- (b) funds, organises, facilitates or recruits such travel or attempted travel by another, intending that the travel be for-
 - (i) perpetrating, planning, preparing or participating in a terrorist act, financing of terrorism, proliferation or proliferation financing;
 - (ii) providing or receiving terrorist training; or
 - (iii) joining or providing support to a proscribed organisation,

commits an offence and on conviction, shall be liable to imprisonment for a term of not less than fifteen years but not exceeding twenty years.

[s. 14A]

Use of property
for commission of
terrorist act
Act No.
2 of 2022 s. 43

19. A person who-

- (a) uses property, directly or indirectly, in whole or in part, for the purpose of committing or facilitating the commission of a terrorist act, financing of terrorism, or proliferation financing; or
- (b) possesses property intending that it be used or knowing that it shall be used, directly or indirectly, in whole or in part, for the purpose of committing or facilitating the commission of a terrorist act, financing of terrorism or proliferation financing,

commits an offence and on conviction, shall be liable to imprisonment for a term of not less than fifteen years and not more than twenty years.

[s. 15]

Arrangement
for retention
or control of
terrorist property

20. A person who knowingly enters into, or becomes concerned in, an arrangement which facilitates the retention or control by or on behalf of another person of terrorist property-

- (a) by concealment;
- (b) by a removal out of jurisdiction;

- (c) by transfer to a nominee; or
- (d) any other way,

commits an offence and on conviction, shall be liable to imprisonment for a term of not less than fifteen years and not more than twenty five years.

[s. 16]

Dealing with
property owned
or controlled by
terrorist groups
Act No.
2 of 2022 s. 44

21.-(1) A person who knowingly-

- (a) deals, directly or indirectly, in any property that is owned or controlled by or on behalf of an individual terrorist or a terrorist group;
- (b) enters into, or facilitates, directly or indirectly, any transaction in respect of property referred to in paragraph (a); or
- (c) provides financial or other services in respect of property referred to in paragraph (a) as the direction of an individual terrorist or a terrorist group,

commits an offence and on conviction, shall be liable to imprisonment for a term of not less than twenty years but not more than thirty years.

(2) A person who acts reasonably in taking or omitting to take measures to comply with subsection (1) shall not be criminally liable for having taken, or omitted to have taken those measures if he proves that, he took all reasonable means to satisfy himself that, the relevant property was not owned or controlled by or on behalf of an individual terrorist or a terrorist group.

[s. 17]

Soliciting and
giving support to
terrorist groups
for commission of
terrorist acts
Act No.
2 of 2022 s. 45

22.-(1) A person who knowingly, and in any manner-

- (a) solicits support for, or gives support to, an individual terrorist or any terrorist group; or
- (b) solicits support for, or gives support to the commission of a terrorist act,

commits an offence and on conviction, shall be liable to imprisonment for a term of not less than twenty years and not more than thirty years.

(2) For the purposes of paragraph (a) of subsection (1), an offer to provide or the provision of forged or falsified travel documents to an individual terrorist or a member of a terrorist group constitutes giving of support to an individual terrorist or a terrorist group.

[s. 18]

Harbouring
of persons
committing
terrorist acts

23. A person who harbours or conceals, or prevents, hinders or interferes with the apprehension of, any other person knowing, or having reason to believe that such other person-

- (a) has committed a terrorist act; or
- (b) is a member of a terrorist group,

commits an offence and on conviction, shall be liable to imprisonment for a term of not less than eighteen years and not more than thirty years.

[s. 19]

Provision of
weapons to
terrorist groups
Act No.
2 of 2022 s. 46

24. A person who knowingly offers to provide, or provides any weapon to-

- (a) an individual terrorist or a terrorist group;
- (b) a member of a terrorist group; or
- (c) to any other person for use by, or for the benefit of an individual terrorist, a terrorist group or a member of a terrorist group,

commits an offence and on conviction, shall be liable to imprisonment for a term of not less than twenty years and not more than thirty years.

[s. 20]

Recruitment
of persons to
be members of
terrorist groups
or to participate
in terrorist acts

25. A person who knowingly agrees to recruit, or recruits, another person-

- (a) to be member of a terrorist group; or
- (b) to participate in the commission of a terrorist act,

commits an offence and on conviction, shall be liable to imprisonment for a term of not less than fifteen years and not more than twenty years.

[s. 21]

Promotion or
facilitation of
commission of
terrorist acts in
foreign states

26. A person who, in the United Republic-

- (a) knowingly promotes or facilitates the doing of any act in a foreign state for the purpose of achieving any of the following objectives, whether or not the objective is achieved-
 - (i) the overthrow, by force or violence, of the Government of that foreign state;
 - (ii) causing, by force or violence, the public in that foreign state to be in fear of death or bodily injury;
 - (iii) causing death of, or bodily injury to a person who-
 - (a) is the head of state of that foreign state; or
 - (b) holds or performs any of the duties of, a public office of that foreign state; or
 - (iv) unlawfully, destroying or damaging any property belonging to the Government of that foreign state;
- (b) recruits another person to become a member of, or to serve in any capacity with, a body or association of persons the objectives of which are, or include, the objectives referred to in paragraph (a);
- (c) accumulates, stockpiles or otherwise keeps, any weapons for the purposes of doing any act referred to in paragraph (a);
- (d) trains or drills, or participates in the training or drilling, any other person in use of weapons or in the practice of military exercises or movements to prepare that person to do any act referred to in paragraph (a);
- (e) allows himself or herself to be trained or drilled, in the use of weapons or in the practice of military exercises or movements for the purpose of doing any act referred to in paragraph (a);
- (f) gives any money or goods to, or performs services for, any other person or body or association of persons for the purpose of promoting or supporting the doing of an act referred to in the paragraph (a); or
- (g) receives or solicits money or goods or the performance of services for the purposes of promoting or supporting the doing of an act referred to in paragraph (a),

commits of an offence and on conviction, shall be liable to imprisonment for a term of not less than twenty years and not more than thirty years.

[s. 22]

Promotion of
offences

27. A person who being-

- (a) the owner, occupier, lessee or person in charge of any building, premises, room, or place knowingly permits a meeting of persons to be held in that building, premises, room or place;
- (b) the owner, charterer, lessee, operator, agent, or master of vessel or the owner, charterer lessee, operator, agent or pilot incharge of an aircraft knowingly permits that vessel or aircraft to be used, for the purposes of committing an offence or promoting or supporting the commission of an offence,

commits an offence and on conviction, shall be liable to imprisonment for a term of not less than fifteen years and not more than twenty years.

[s. 23]

Conspiracy to
commit offences
under this Act

28.-(1) A person who conspires with another person in the United Republic to do any act in any place outside the United Republic, being an act, which if done in the United Republic, would have constituted an offence under this Act shall be deemed to have, conspired to do that act, in the United Republic.

(2) A person who conspires with another person in a place whether within or outside the United Republic to do any act in the United Republic which constitutes an offence under this Act, shall be deemed to have conspired in the United Republic to do that act.

[s. 24]

Membership of
terrorist groups

29.-(1) A person who-

- (a) is a member of;
- (b) professes to be a member of;

a terrorist group, commits an offence and on conviction, shall be liable to imprisonment for term of not less than eighteen years.

(2) It shall be a defence for a person charged with an offence under this section to prove that the entity in respect of which the charge is brought was not a terrorist group at or on the date that he-

(a) became a member of; or

(b) professed to be a member of,

that entity, or that he has not taken part in the activities of that entity, after it became a terrorist group.

[s. 25]

Arrangement
of meetings
in support of
terrorist groups
Act No.
2 of 2022 s. 47

30.-(1) A person who arranges, manages or assists in arranging or managing a meeting which he knows is-

(a) to support a terrorist group;

(b) to further the activities of a terrorist group;

(c) to be addressed by an individual terrorist or a person who belongs or professes to belong to a terrorist group,

commits an offence and on conviction, shall be liable to imprisonment for a term of not less than ten years and not more than fifteen years.

(2) In this section, "meeting" means a meeting of three or more persons, whether or not the public are admitted.

[s. 26]

Participation in
commission of
offences under
this Act

31. A person who-

(a) aids and abets the commission;

(b) attempts to commit;

(c) conspires to commit;

(d) counsels or procures the commission, of an offence under this Act,

commits an offence and on conviction, shall be liable to the same punishment as is prescribed for the first mentioned offence.

[s. 27]

Financial
penalties
Act No.
2 of 2022 s. 48

32.—(1) Where a person contravenes the provisions of this Act or regulations made under this Act and no specific financial penalty is stipulated, that person shall, on conviction:

- (a) in the case of an individual person, be liable to a fine not exceeding five hundred million shillings but not less than one hundred million shillings or be ordered to pay three times the amount of money involved or market value of the property, whichever amount is greater; or
- (b) in the case of a body corporate, be liable to a fine of not less than five hundred million shillings or be ordered to pay three times of the amount of money involved or market value of the property, whichever amount is greater.

(2) For the purposes of subsection (1)(b), every director, manager or principal officer and member of the board of directors of the company shall be deemed to have committed the offence.

[s. 27A]

PART V

INVESTIGATION OF OFFENCES

Powers of arrest

33.—(1) A police officer may arrest without warrant any person who has committed or is committing or whom he has reasonable grounds for suspecting to have committed or to be committing an offence under this Act.

(2) For the purposes of subsection (1), “police officer” means and include a police officer of or above the rank of Assistant Superintendent, an immigration officer or a member of Tanzania Intelligence Security Service.

[s. 28]

Power of
investigation in
cases of urgency
Cap. 20

34.—(1) Notwithstanding the provisions of the Criminal Procedure Act, where, in a case of urgency, application to the court to obtain a warrant would cause delay that may be

prejudicial to the maintenance of public safety or public order, a police officer, not below the rank of Assistant Superintendent, or in charge of a police station may, notwithstanding any other Act, with the assistance of such other police officers as may be necessary-

- (a) enter and search any premises or place, if he has reason to suspect that, within those premises or at that place-
 - (i) an offence under this Act is being committed or likely to be committed; and
 - (ii) there is evidence of the commission of an offence under this Act;
- (b) search any person or vehicle found on any premises or place which he is empowered to enter and search under paragraph (a);
- (c) stop, board and search any vessel, aircraft or vehicle if he has reason to suspect that, there is in it evidence of the commission or likelihood of commission of an offence under this Act;
- (d) seize, remove and detain anything which is, or contains or appears to him to be or to contain or to be likely to be or to contain, evidence of the commission of an offence under this Act;
- (e) arrest and detain any person whom he reasonably suspects of having committed or of being about to commit an offence under this Act.

(2) A police officer may use such force as may be necessary for the exercise of the powers conferred by subsection (1).

(3) A person found on any premises or place or in any vessel, aircraft or vehicle may be detained by a police officer until the completion of the search under subsection (1).

(4) Where a seizure is effected under this section, a list of all the articles, documents and other matters seized shall forthwith be delivered.

(5) For the purposes of this section, the degree of force which may be used shall not be greater than is reasonably necessary.

(6) A police officer who uses such force as may be necessary for any purpose, in accordance with this Act, shall not be liable, in any criminal or civil proceedings, for having, by the use of force, caused injury or death to any person or damage to or loss of any property.

[s. 29]

Intelligence
gathering

35.-(1) The Minister may, for the purposes of the prevention or detection of offences of terrorism or for the purposes of prosecution of offenders under this Act, give such directions as may appear to him to be necessary to-

- (a) communication service providers generally;
- (b) communication service providers of a specified description; and
- (c) any particular communication service provider.

(2) Before giving a direction under this section, the Minister may consult any communication service provider he deems fit to consult.

(3) A direction under this section shall specify the maximum period for which a communication service provider may be required to retain Communications data.

(4) In the event of resistance, the court may, on application by the Attorney General, issue an order directing the communication service provider to comply with the direction of the Minister.

(5) In this section-

“communication service provider” means a person who provides postal, information, or communication, including telecommunications and internet service providers;

“data” means information recorded in a form in which it can be processed by equipment operating automatically in response to instructions given for that purpose.

[s. 30]

Powers to intercept communications and admissibility of intercepted communications

36.—(1) Subject to subsection (2), a police officer may, for the purpose of obtaining evidence of the commission of an offence under this Act, apply, *ex-parte*, to the Court, for an interception of communications order.

(2) A police officer may make an application under subsection (1) only with the prior written consent of the Attorney General.

(3) A court to whom an application is made under subsection (1), may make an order—

- (a) requiring a communications service provider to intercept and retain a specified communication or communications of a specified description received or transmitted, or about to be received or transmitted by that communication service provider;
- (b) authorising the police officer to enter any premises and to install on such premises, any device for the interception and retention of a specified communications of a specified description and to remove and retain such device, if the court is satisfied that, the written consent of the Attorney General has been obtained as required by subsection (2) and that there are reasonable grounds to believe that material information relating to—
 - (i) the commission of an offence under this Act;
 - (ii) the whereabouts of the person suspected by the police officer to have committed the offence,

is contained in that communication or communications of that description.

(4) Any information contained in a communication—

- (a) intercepted and retained pursuant to an order under subsection (3); or
- (b) intercepted and retained in a foreign state in accordance with the law of that foreign state and certified by a court of that foreign state to have been so intercepted and retained,

shall be admissible in proceedings for an offence under this Act, as evidence of the truth of its contents notwithstanding the fact that it contains hearsay.

[s. 31]

Detention of
aircraft or vessel

37.—(1) The Inspector General of Police may issue detention order in respect of an aircraft or vessel if he is of opinion that—

- (a) a threat has been made to commit an act of violence against the aircraft or vessel, or against any person or property on board the aircraft or vessel; or
- (b) an act of violence is likely to be committed against the aircraft or vessel, or against any person or property on board the aircraft or vessel.

(2) Where the operator of an aircraft or vessel fails to comply with a detention order under subsection (1), the authorised person may—

- (a) enter, or authorise any other person to enter, the aircraft or vessel;
- (b) arrange for a person or thing to be removed from the aircraft or vessel, and may use reasonable force, or authorise the use of reasonable force by another person for any such purpose.

(3) The authorised person shall give written notice to the operator of the aircraft or vessel of any detention order issued under this section.

(4) Where the operator of an aircraft or vessel objects to a detention order, the Minister may, after hearing the interested parties, confirm, vary or cancel the order.

(5) A person who—

- (a) without reasonable excuse, fails to comply with the requirement of a detention order; or
- (b) intentionally obstructs or hinders any person acting in accordance with subsection (2),

commits an offence.

(6) For the purposes of this section, the Minister may, in writing, designate as an authorised person such person as he deems appropriate.

[s. 32]

Power to seize property used in commission of terrorist acts

38.—(1) Where the Inspector General of Police or Commissioner of Police has reasonable grounds for suspecting that any property has been, or is being, used to commit an offence under this Act, he may seize the property.

(2) The Inspector General of Police or Commissioner of Police may exercise his powers under subsection (1), whether or not any proceedings have been instituted for an offence under this Act in respect of that property.

(3) The Commissioner of Police, shall as soon as practicable after seizing any property under subsection (1), make an application, *ex parte*, to the Court for a detention order in respect of that property.

(4) A court to whom an application is made under subsection (3), shall not make a detention order in respect of the property referred to in the application unless he—

- (a) has given every person appearing to have an interest in the property, a reasonable opportunity of being heard; or
- (b) has reasonable grounds to believe that the property has been, or is being, used to commit an offence under this Act.

(5) Subject to subsection (6), every detention order made under subsection (4), shall be valid for a period of sixty days, and may, on application, be renewed by the court, for a further period of sixty days until such time as the property referred to in the order is produced in court in proceedings for an offence under this Act in respect of that property.

(6) The court may release any property referred to in a detention order made under subsection (4) if—

- (a) it no longer has reasonable grounds to suspect that the property has been or is being used to commit an offence under this Act; or

(b) proceedings are not instituted in the court for an offence under this Act in respect of that property within 6 months of the date of the detention order.

(7) A seizure of any property by the police officer under subsection (1) shall not be deemed to be a contravention of section 8.

(8) A civil or criminal proceedings shall not lie against the police officer for a seizure of property made in good faith pursuant to the provisions of subsection (1).

[s. 33]

PART VI TRIAL OF OFFENCES

Jurisdiction to try
offences under
this Act
Act No.
7 of 2018 s. 91

39.—(1) The High Court shall have jurisdiction to try offences under this Act.

(2) Prosecution for an offence under this Act shall not be instituted except by or with the consent of the Director of Public Prosecutions.

(3) A court may, on an *ex-parte* application by the Director of Public Prosecutions, order that the case proceeds in a manner stated in section 199 of the Criminal Procedure Act.

(4) A court may, on motion by or on behalf of the Director of Public Prosecutions, in the interest of public safety or public order, exclude from proceedings instituted for any offence under this Act, any person other than the parties and their legal representatives.

(5) A person who contravenes an order made under subsection (3) commits an offence.

(6) For the purposes of subsection (2), an act or omission committed outside the United Republic and which would, if committed in the United Republic constitute an offence under this Act, shall be deemed to have been committed in the United Republic if the person committing the act or omission is present in the United Republic and cannot be extradited to a foreign state having jurisdiction over the offence constituted by such act or omission.

[s. 34]

Evidence by
certificate

40. Where in any proceedings for an offence under this Act, a question arises as to whether anything or a substance is a weapon, a hazardous, radioactive or a harmful substance, a toxic chemical or microbial or other biological agent or toxin, a certificate purporting to be signed by an appropriate authority to the effect that the thing or substance described in the certificate is a weapon, hazardous, radioactive or harmful substance, a toxic chemical or microbial or other biological agent or toxin, shall be admissible in evidence without proof of the signature or authority of the person appearing to have signed it and shall, in the absence of evidence to the contrary, be proof of the facts stated therein.

[s. 35]

Orders for
forfeiture of
property on
conviction for
offences under
this Act

41.—(1) Where a person is convicted of an offence under this Act, the Court may order that any property-

- (a) used for, or in connection with; or
- (b) received as payment or reward for, the commission of that offence,

be forfeited to the United Republic.

(2) Before making an order under subsection (1), the Court shall give every person appearing to have an interest in the property in respect of which the order is proposed to be made, an opportunity of being heard.

(3) Property forfeited to the United Republic under subsection (1), shall vest in the Government, where-

- (a) an appeal has not been made against the order, at the end of the period within which an appeal may be made against the order; and
- (b) an appeal has been made against the order, on the final determination of the appeal.

[s. 36]

PART VII

EXTRADITION AND MUTUAL ASSISTANCE IN CRIMINAL MATTERS

Exchange of
information
relating to
terrorist groups
and terrorist acts

42. The Inspector General of Police or Commissioner of Police may, on a request made by the appropriate authority of a foreign state, disclose to that authority any information in his possession or in the possession of any other Government department or agency, relating to any of the following-

- (a) the actions or movements of terrorist groups or persons suspected of involvement in the commission of terrorist acts;
- (b) the use of forged or falsified travel papers by persons suspected of involvement in the commission of terrorist acts;
- (c) traffic in weapons and sensitive materials by terrorist groups or persons suspected of involvement in the commission of terrorist acts; or
- (d) the use of communications technologies by terrorist groups, if the disclosure is not prohibited by any provision of law and does not, in the mind of the Inspector General of Police or Commissioner of Police, be prejudicial to national security or to public safety.

[s. 37]

Counter terrorism
Convention to be
used in basis for
extradition

43.-(1) Where the United Republic becomes a party to a counter terrorism Convention and there is in force, an extradition arrangement between the Government of the United Republic and another state which is a party to that counter terrorism Convention, the extradition arrangement shall be deemed, for the purposes of the Extradition Act, to include provision for extradition in respect of offences falling within the scope of that counter terrorism Convention.

(2) Where the United Republic becomes a party to a counter terrorism Convention and there is no extradition arrangement between the Government of the United Republic and another

Cap. 368

state which is a party to that counter terrorism Convention, the Minister may, by order published in the *Gazette*, treat the counter terrorism Convention, for the purposes of the Extradition Act, as an extradition arrangement between the Government of the United Republic and that state, providing for extradition in respect of offences falling within the scope of that counter terrorism Convention.

[s. 38]

Offences not to be
deemed political
Cap. 368

44. Notwithstanding anything in the Extradition Act, an offence which causes-

- (a) death or serious bodily harm to a person; or
- (b) serious damage to property,

shall for the purpose of extradition under this Act, be deemed not to be an offence of a political character or an offence connected with a political offence or offence inspired by political motives.

[s. 39]

PART VIII MISCELLANEOUS

Duty to disclose
information
relating to
offences and
terrorist acts

45.-(1) A person who has an information which may be of assistance in-

- (a) preventing the commission by another person, of a terrorist act;
- (b) securing the arrest or prosecution of another person for an offence under this Act,

shall forthwith disclose that information to a police officer of not below the rank of Assistant Superintendent of Police or to a police in-charge of a station.

(2) Subsection (1), shall not require the disclosure of any information which is protected by privilege.

(3) A civil or criminal proceedings shall not lie against any person for disclosing any information, in good faith, as required under subsection (1).

(4) A person who fails to comply with subsection (1) commits an offence and on conviction, shall be liable to imprisonment for a term of not less than two years and not more than five years.

[s. 40]

Duty to disclose information relating to property of terrorist groups or property used for commission of offences under this Act

46.—(1) A person shall forthwith disclose to a police officer—

- (a) the existence of any property in his or her possession or control, which is to his or her knowledge, owned or controlled by or on behalf of a terrorist group;
- (b) any information regarding a transaction or proposed transaction in respect of any property referred to in paragraph (a).

(2) A financial institution shall report, in every three months, to the police officer and anybody authorised by law to supervise and regulate its activities that—

- (a) it is not in possession or control of any property owned or controlled by or on behalf of a terrorist group; or
- (b) it is in possession or control of such property, and the particulars relating to the persons, accounts, and transactions involved and the total value of the property.

(3) In addition to the requirements of subsection (2), every financial institution shall report to the police officer, every transaction which occurs within the course of its activities, and in respect of which there are reasonable grounds to suspect that the transaction is related to the commission of a terrorist act.

(4) A civil or criminal proceedings shall not lie against any person for making a disclosure or report, in good faith, as required under subsection (1) or (2) or (3).

(5) A person who fails to comply with subsection (1) or (2) or (3), commits an offence and on conviction, shall be liable to imprisonment for a term of not less than twelve months.

[s. 41]

Reporting to FIU
Act No.
10 of 2013 s. 52

47.—(1) Section 46 shall not be taken as limiting or restricting the obligations of financial institutions to report to the FIU any transaction in respect of which there is reasonable ground to suspect that it is related or linked to the terrorist financing or intended to finance terrorist acts or a terrorist organisation.

(2) In addition to the requirement provided for under section 46, a reporting person shall report without delay to the FIU any information regarding a transaction or proposed transaction in respect of any property which is to his knowledge, owned or controlled by or on behalf of a terrorist group.

(3) A reporting person that has in his possession or under his control a property against which an order of freezing has been issued or granted under this Act, shall report the fact of that possession or control in every three months, to the Commissioner of FIU.

(4) A civil, administrative or criminal proceedings shall not be instituted against a reporting person for making disclosure or report, in good faith, or as required under section 46 and this section.

(5) A reporting person who fails to comply with reporting obligations under section 46 and this section on conviction, shall be liable—

- (a) to a fine of not less than one hundred million shillings but not exceeding five hundred million shillings or to imprisonment for a term of not less than two years or to both; or
- (b) to administrative sanctions as may be prescribed in the Regulations made under this Act.

(6) For the purposes of this section, the term “reporting person” has the meaning ascribed to it under the Anti-Money Laundering Act.

[s. 41A]

Orders for seizure
and restraint of
property

48.—(1) Where the Court is satisfied, on an *ex parte* application that, there are reasonable grounds to believe that there is in any building, place or vessel, any property in respect of which an order of forfeiture may be made under section 49, issue-

- (a) a warrant authorising a police officer to search the building, place or vessel for that property and to seize that property if found, and any other property in respect of which that police officer believes, on reasonable grounds, that an order of forfeiture may be made under section 49;
- (b) a restraint order prohibiting any person from disposing of, or otherwise dealing with any interest in that property, other than as may be specified in the order.

(2) On an application made under subsection (1), the court may, at the request of the Attorney General and, where the court is of the opinion that the circumstances so require-

- (a) appoint a person to take control of, and manage or otherwise deal with, the whole or a part of the property, in accordance with the directions of the court;
- (b) require any person having possession of the property to give possession thereof to the person appointed under paragraph (a).

(3) The power to manage or otherwise deal with the property under subsection (2) includes-

- (a) in the case of perishable or rapidly depreciating property, the power to sell that property; and
- (b) in the case of the property that has little or no value, the power to destroy that property.

(4) Before a person appointed under subsection (2) destroys any property referred to subsection 3(b), he shall apply to the court for a destruction order.

(5) Before making a destruction order in relation to any property, the Court shall require notice to be given, in such manner as the court may direct, to any person who, in the opinion of the court, appears to have an interest in the property and may provide that person with a reasonable opportunity to be heard.

(6) The court may order that any property in respect of which an application is made under subsection (4), be destroyed if it is satisfied that the property has little or no financial or other value.

(7) A management order under subsection (2) shall cease to have effect when the property which is the subject of the management order is returned to an applicant in accordance with the law or when it is forfeited to the United Republic.

(8) The Attorney General may at any time apply to the court to cancel or vary a warrant or order issued under this section.

[s. 42]

Orders for
forfeiture of
property

49.—(1) The Attorney General may make an application to the court for an order of forfeiture in respect of—

- (a) property owned or controlled by, or on behalf of, a terrorist group; or
- (b) property that has been, is being or will be used, in whole or part, to commit, or facilitate the commission of, a terrorist act.

(2) The Attorney General shall be required to name as respondents in the application under subsection (1) only to persons who are known to own or control the property which is the subject of the application.

(3) The Attorney General shall give notice of an application under subsection (1) to the respondents named in the application in such manner as the court may direct.

(4) Where the court is satisfied, on a balance of probabilities that, the property which is the subject of the application, is property referred to in subsection (1)(a) or (b), it shall order that the property be forfeited and be disposed of as directed by the court.

(5) Where a court refuses an application under subsection (1), the judge shall make an order that describes the property and declare that it is not property referred to in that subsection.

(6) On an application under subsection (1), a court may require notice to be given to any person, who in the opinion of

the court, appears to have an interest in the property, and any such person shall be entitled to be added as a respondent to the application.

(7) Where the court is satisfied that a person referred to in subsection (6)-

- (a) has an interest in the property which is the subject of the application;
- (b) has exercised reasonable care to ensure that the property would not be used to commit or facilitate the commission of a terrorist act; and
- (c) is not a member of a terrorist group,

the court shall order that, the interest shall not be affected by the order and declare the nature and extent of the interest in question.

(8) A person who claims an interest in property that has been forfeited and who has not been given notice under subsection (6), may make an application to the court to vary or set aside an order made under subsection (4) not later than sixty days after the day on which the forfeiture order was made.

(9) Pending the determination of an appeal against an order of forfeiture made under this section, property restrained under section 48, shall continue to be restrained, property seized under a warrant issued under that section, shall continue to be detained, and any person appointed to manage, control or otherwise deal with the property under that section shall continue in that capacity.

(10) The provisions of this section shall not affect the operation of any other provision of this Act respecting forfeiture of property.

[s. 43]

Refusal of applications for registration, and revocation of registration, of trustees linked to terrorist groups

50.-(1) The Minister may sign a certificate stating that, it is his opinion, based on information received including any security or criminal intelligence reports, that there are reasonable grounds to believe that, an applicant for registration as a registered trustees or a registered trustees has made, is making,

or is likely to make available directly or indirectly, any resources to a terrorist group.

(2) Upon the signing of a certificate under subsection (1), by the Minister or a person authorised by him, shall cause the applicant or the registered trustees to be served, personally or by registered letter sent to its last known address, with a copy of the certificate and a notice informing it that, the certificate shall be referred to the court not earlier than seven days after the service of the notice, and that, if the certificate is determined to be reasonable, the applicant shall not be eligible to be registered as registered trustees or the registration of the registered trustees of the trust will be revoked, as the case may be.

(3) The certificate or any matter arising out of it shall not be subject to review or be restrained, prohibited, removed, set aside or otherwise dealt with except in accordance with this section.

(4) Seven days after service under subsection (2) or as soon as practicable thereafter, the Minister or a person authorised by him shall-

- (a) file a copy of the certificate in the court for determination under subsection (5); and
- (b) cause the applicant or registered trustees to be served, personally or by registered letter sent to its last known address, with a notice informing it of the filing of the certificate.

(5) Upon the filing of a certificate in the court under subsection (4), it shall-

- (a) examine in chambers, the information, including any security or criminal or intelligence reports, considered by the Minister before signing the certificate, and hear any evidence or information is admissible and may, on the request of the Minister, hear all or part of that evidence or information in the absence of the applicant or registered trustees, if the court is of the opinion that the disclosure of the information would be prejudicial to national security or endanger the safety of any person;

- (b) provide the applicant or the registered charity with a statement summarising the information available to the court so as to enable the applicant or the registered charity to be reasonably informed of the circumstances giving rise to the certificate, without disclosing any information the disclosure of which would, in the court's opinion, be prejudicial to national security or endanger the safety of any person;
- (c) provide the applicant or registered charity with a reasonable opportunity to be heard; and
- (d) determine whether the certificate is reasonable on the basis of all the information available to the court or if found not reasonable, quash it.

(6) Where the court determines, under subsection (5), that a certificate is reasonable, the Minister shall cause the certificate to be published in the *Gazette*.

(7) A certificate determined to be reasonable under subsection (5), shall be deemed for all purposes to be sufficient grounds for the refusal of the application for registration of the charity referred to in the certificate or the revocation of the registration of the charity referred to in the certificate.

[s. 44]

Provision of
information
relating to
passengers of
vessels and
aircraft and
persons entering
and leaving
country
Acts Nos.
6 of 2012 s. 25
8 of 2015 s. 12

51.-(1) The operator of an aircraft or master of a vessel-

- (a) departing from the United Republic;
- (b) registered in the United Republic departing from any place outside the United Republic,

may, subject to regulations made under subsection (5), provide-

- (i) to the police officer any information in his possession, relating to persons on board, or expected to be on board, the aircraft or vessel; or
- (ii) to the competent authority in a foreign state, any information in his possession, relating to persons on board, or expected to be on board, the aircraft or vessel, and required by the laws of that foreign state.

(2) The Commissioner General of Tanzania Immigration Service Department may, subject to regulations made under subsection (5), provide to the competent authority in a foreign state any information in his possession relating to persons entering or leaving the United Republic by land, and that is required by the laws of that foreign state.

(3) The provision of any information under subsection (1) or (2) shall, subject to regulations made under subsection (5), be deemed not to be a contravention of any provision of law prohibiting the disclosure of the information.

(4) An information provided to the police officer under subsection (1), shall not be used or disclosed by the Commissioner General except for the purpose of protecting national security or public safety.

(5) The Minister may make regulations necessary to give effect to the purposes of this section, including regulations-

- (a) respecting the types or classes of information that may be provided for under this section; or
- (b) specifying the foreign states to which the information may be provided.

[s. 45]

Power to prevent
entry and order
removal of
persons

Acts Nos.

6 of 2012 s. 25

8 of 2015 s. 12

52.—(1) The Commissioner General of Tanzania Immigration Service Department or other authorised officer under the laws relating to immigration, shall not grant an endorsement or other authority permitting a person to enter the United Republic if he has reasonable grounds to believe that such, person has been, is, or will be, involved in the commission of a terrorist act.

(2) Where the Minister responsible for immigration has reasonable grounds to believe that, a person in the United Republic has been, is or will be, involved in the commission of a terrorist act, he may make an order requiring that person to leave the United Republic and remain thereafter out of the United Republic.

(3) A person with respect to whom an order under subsection (2) is made, shall leave the United Republic and shall, so long as the order is in force, remain out of the United Republic.

(4) A person with respect to whom an order under subsection (2) is made may be detained in such manner as may be directed by the Minister responsible for immigration and may be placed on a vessel or aircraft leaving the United Republic.

[s. 46]

Power to
refuse refugee
application

53. The Minister responsible for immigration may, having regard to the interests of national security and public safety, refuse the application of any person applying for status as a refugee, if he or she has reasonable grounds to believe that, the applicant has committed a terrorist act or is likely to be involved in the commission of a terrorist act.

[s. 47]

Regulations
Act No.
2 of 2022 s. 49

54.-(1) The Minister may make regulations in respect of all matters in respect of which regulations are required or authorised to be made by this Act.

(2) Without prejudice to the generality of subsection (1), the regulations may provide for-

- (a) procedure and mechanisms to collect or solicit information to identify persons and entities that meet the criteria for designation and persons or entities who have been identified and whose proposal for designation has been considered;
- (b) preventive measures for funds, assets and properties of sanctioned persons or entity;
- (c) procedures for proposing persons or entities for designation and delisting under the United Nations Security Council Resolutions relating to terrorist financing and proliferation financing and the authority responsible for proposing designation;

- (d) mechanism and criteria for identifying targets for designation;
- (e) implementation of targeted sanctions and other measures imposed by the United Nations Security Council Resolutions;
- (f) procedure to respond to international request for information regarding particular actions or movements of terrorist or terrorist groups pursuant to section 37(a); and
- (g) any other matter which is required to be prescribed for proper implementation of this Act.

(3) Subject to subsection (4), every regulation made under subsection (1) shall be published in the *Gazette* and shall come into operation on the date of publication or on such later date as may be specified in the regulation.

(4) A regulation made under subsection (1) shall, as soon as convenient after its publication, be brought before the National Assembly for approval and any regulation which is not so approved, shall be deemed to be revoked from the date of disapproval, but without prejudice to anything previously done on the authority of those regulations.

[s. 48]

PART IX CONSEQUENTIAL AMENDMENTS

Omitted

49-54. [Omitted.]