

The legislative powers of Tanzania parliament over non-union matters for Zanzibar

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This work examines the legislative powers of the Tanzania Parliament over non-union matters for Zanzibar. The study gravitated towards depicting a colorful picture on the actual purview of the Union Parliament over Zanzibar. To accomplish that end, various legal instruments have been called to aid such as the Articles and Acts of Union, Constitutions, divergent Statutes and some International Treaties. According to the Articles of Union and the Constitution of the United Republic, 1977, the Union Parliament has only powers to legislate on union-matters for the whole United Republic and non-union matters for Tanzania Mainland. Nonetheless, this study has noted that in practice the Parliament had sometimes exceeded its powers when legislating for Zanzibar. The process of legislating even on non-union matters for Zanzibar, in effect, makes incorrect additions to the list of union matters. The additions so made, lead to the progressive marginalization of Zanzibar and a clear encroachment of the powers exclusively reserved for the House of Representatives of Zanzibar. This study is organized into five chapters; each gives an insight on a particular expanse. The first part is a general introduction that covered the background to the study; the second part is paving the way for an evolution of the parliamentary powers in Tanzania. The third part deals with the legal aspects of relations between the Union Parliament and Zanzibar House of Representatives. The fourth part offers empirical evidence on the way legislative powers are practiced. The fifth part is the conclusion and recommendations.