

THE FOREST RESOURCES MANAGEMENT AND CONSERVATION

ACT NO.10 OF 1996

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ACT NO.10 OF 1996

I ASSENT

**(SALMIN AMOUR)
PRESIDENT OF ZANZIBAR AND CHAIRMAN OF THE
REVOLUTIONARY COUNCIL**

27th OCTOBER, 1997

**AN ACT FOR THE SUSTAINABLE MANAGEMENT AND CONSERVATION OF
ZANZIBAR'S FOREST RESOURCES AND MATTERS RELATED THERETO**

ENACTED by the House of Representatives of Zanzibar.

**PART I
PRELIMINARY PROVISIONS**

Short title and commencement. 1.This Act may be cited as the Forest and Resources Management and Conservation Act, 1996, and shall come into force upon assent by the President.

Interpretation. 2. In this Act, unless the context requires otherwise –

“Act” means the Forest Resources Management and Conservation Act, 1996, and any regulations or other subsidiary legislation issued thereunder;

“Biological diversity” means the differences among and between living organisms and the differences within and between ecosystems;

“Classified forest area” means a Forest Reserve (including Nature Forest Reserve), Community Forest Management Area or Special Forest Management Area;

“Community forest management agreement” means an agreement described in section 39;

“Community Forest Management Area” means an area designated in a community forest management agreement, entered into between the Forest Administrator and a community management group in accordance with Part V;

“Community management group” means a group described in section 37;

“Enforcement officer” means (i) any forest officer or other person designated to be an enforcement officer under the provisions of Part XI of this Act, and (ii) any police officer in Zanzibar;

“Environmental law” means the Environmental Management for Sustainable Development Act, 1996 and all subsidiary legislation thereunder, or any replacement thereof;

“Firewood” includes parts of trees made up into bundles or loads, or cut up in a manner in which it is usual to cut wood for burning, and refuse wood generally, but does not include sound straight timber logs or poles of any kind;

“Forest Administrator” means the Assistant Commissioner for Forestry, or any officer hereafter assigned primary responsibility for the operation of the Forest Authority;

“Forest area management plan” means any management plan described in section 31 with respect to Forest Reserves; any management plan described in section 57 with respect to Special Forest Management Area; and any community forest management agreement described in section 39;

“Forest Authority” means the Subcommission for Forestry, or any government body hereafter assigned primary responsibility for the management and conservation of forest resources;

“Forest officer” means an officer appointed by the Minister under the provisions of section 6;

“Forest produce” includes bamboos, bark, branchwood, canes, charcoal, earth, fibres, firewood, fruits, galls gums, honey, latex, leaves, litter, poles, resin, rubber, sap, seeds, slabs, timber, trees, wattles, wax, and such other things as the Minister may, by notice in the Official Gazette, declare to be forest produce for the purposes of this Act;

“Forest Reserve” means an area designated as such pursuant to section 15, and includes any Nature Forest Reserve;

“Forest resources” includes -

- (i) trees and other forest produce;
- (ii) the environmental benefits associated with trees in their living or in situ state;
- (iii) all wild animals, wild plants, components of biodiversity and other living and non-living natural resources for which trees provide habitat, shelter or food or which are associated with forest ecosystems;

Whether located within or outside of classified forest areas. Without limiting the foregoing “forest resources” shall include all living and non-living natural resources located within any Forest Reserve;

“Institute responsible for the environment: means the Department of Environment or any other government body hereafter assigned primary responsibility for the environment;

“land” includes mangroves;

“land available to the government” means land outside of a Forest Reserve or Community Forest Management Area over which no non-

governmental person has a right of occupancy,
and includes land subject to government leases;

“land Tribunal” means land Tribunal as defined in the
land Tribunal Act, 1994;

“licence” includes any permit issued under this Act;

“licensing officer” means (a) any forest officer
designated as a licensing officer by the Forest
Administrator under section 7(1); or (b) any
other person designated by the Minister as a
licensing officer under section 8(2);

“Minister” means the Minister responsible for the
management and conservation of forest
resources;

“Nature Forest Reserve” means a subcategory of
Forest Reserve, designated under section 16;

“Person” means an individual whether acting in a
public or private capacity, a group of individuals,
a community, a juridical person, a Government
institution or Government corporate body;

“Privately-held land” means land over which a non-
governmental person has a right of occupancy,
but does not include land subject to government
leases;

“Right of occupancy” means a right of occupancy as
defined in the land Tenure Act, 1992, and any
other right to occupy land on a permanent or
lifetime basis, but does not include the right to
occupy land under a government lease;

“Special Forest Management Area” means an area
designated under section 48;

“Timber” includes a tree or any part of a tree when it
has fallen or been felled, and all wood, whether
or not sawn, split, hewn or otherwise fashioned
for any purpose, but does not include firewood;

“Tree” includes palms, bamboo, shrubs, bushes, stumps, seedlings, saplings and re-shoots of all ages;

“Wild animal” means undomesticated animals, including birds;

“Wild plant” means undomesticated plants.

Purpose of this Act.

3.(1) The purpose of this Act is to promote the protection, conservation and development of forest resources for the social, economic and environmental benefit of present and future generations of the people of Zanzibar.

(2) Consistent with the purpose set forth in subsection (1), the provisions of this Act shall be implemented in a manner which promotes the following objectives:

- (a) to encourage and facilitate the active involvement of local people in the sustainable planning, management, use and conservation of forest resources;
- (b) to preserve and enhance the environmental functions of forest resources; and
- (c) to meet Zanzibar's demands for forest produce within the framework of sustainable forest management.

PART II ADMINISTRATION

Forest Administration.

4. The President, upon recommendation of the Minister, shall appoint an officer in the public service to be the Forest Administrator.

Forest Authority.

5. The Forest Authority, under the direction of the Forest Administrator shall be responsible for the implementation of this Act, and in particular shall:

- (a) plan, promote, assist and conduct activities to ensure the conservation and sustainable

- management of the forest resources of Zanzibar;
- (b) maintain an inventory of the forest resources of Zanzibar;
 - (c) prepare, update and coordinate the implementation of a National Forest Resources Management Plan and individual forest management plans;
 - (d) submit a report to the Minister every year on the implementation of the National Forest Resources Management Plan and forest area management plans;
 - (e) encourage and assist the planting, cultivation, conservation and appropriate utilisation of forest resources by individuals and communities, through training, extension, participatory planning and the delegation of management responsibility;
 - (f) manage Forest Reserves and such other areas as may be entrusted to the Forest Authority for management in accordance with the purposes for which they are established;
 - (g) take appropriate measures to prevent deforestation and to control forest fires;
 - (h) manage and protect forests as habitats for genetic resources and biological diversity;
 - (i) take appropriate measures to protect and regulate the hunting or taking of wild animals and plants;
 - (j) conduct and coordinate research on silvicultural, ecological, economic, social and other aspects of forests and forest resources, in order to promote the purposes of this Act; and
 - (k) take such other steps as are necessary to fulfill the purposes of this Act.

Forest Officers
and other staff.

6. The Minister, upon the recommendation of the Forest Administrator, may appoint such forest officers and staff as

the Minister considers necessary for the purposes of this Act.

Licensing
Officers.

7.(1) The Forest Administrator may appoint any forest officer to be a licensing officer with the power to issue any category of licence under Part VII of this Act, of such categories of licences as the Forest Administrator may specify.

(2) The Minister, upon recommendation of the Forest Administrator, may appoint any other person to be a licensing officer with the power to issue specified categories of licences subject to such conditions or limitations as the Minister may specify.

Enforcement
Officers.

8.(1) The Forest Administrator may appoint any forest officer to be an enforcement officer with all of the powers of enforcement officer under Part XI, or any of such powers as the Forest Administrator may specify.

(2) The Minister, upon recommendation of the Forest Administrator, may appoint any person who is not a forest officer or police officer to be an enforcement officer with any or all of the powers set forth in sections 84(a) and (b), 85,87 and 88, subject to such other limitations or conditions as the Minister may specify.

PART III NATIONAL FOREST RESOURCES PLANNING.

National Forest
Resources
Inventory.

9.(1) The Forest Administrator shall compile and update a national inventory of forest resources.

(2) The national inventory of forest resources shall:

- (a) describe the quantity, quality, type (including distribution of tree species) and location of forest resources in the country both within and outside of classified forest areas;
- (b) state and quantify discernible trends and changes over time in any of the categories described in paragraph (a);

- (c) state the areas devoted to classified forest areas under this Act, as well as the area of other land used for forest purposes;
- (d) provide information on the suitability of different land areas for forestry uses, including, but not limited to, production, protection, preservation, afforestation, reforestation and recreation; and
- (e) describe the manner and the extent to which forest resources are used by local communities and individuals for domestic, medicinal and religious purposes, and for other purposes related to the basic daily needs of those living in and around forests.

National Forest Resources Management plan.

10. As soon as possible after the effective date of this Act, the Forest Administrator shall prepare a National Forest Resources Management Plan.

Contents of the National Forest Resources Management plan.

11. The National Forest Resources Management Plan shall include:

- (a) a detailed description of the status of forest resources in Zanzibar on the basis of the national inventory of forest resources and other available information;
- (b) a statement of Zanzibar's national forest policy;
- (c) an assessment of the demand for and threats to the various kinds of forest resources over the short-and long-term;
- (d) a statement of the management measures proposed to address the identified demands and threats and to implement the objectives of the national forest policy, including strategies to be adopted to maximise public participation in forest resources management; and
- (e) an estimate of staffing, budgetary and administrative requirements.

Public comment and inter sectoral consultation in plan preparation.

12. Prior to submitting the National Forest Resources Management Plan for approval, the Forest Administrator shall:

- (a) distribute the National Forest Resources Management Plan for comment to those government institutions responsible for agriculture, livestock, planning, finance, land, water, environment, fisheries, energy, tourism, women and local government and other relevant government institutions;
- (b) take effective steps to publicize the proposed plan and to solicit comments and advice from the public, especially those most dependant upon forest resources in their daily lives, and
- (c) taking into account the comments and advice received, make such changes as may be appropriate.

Approval and modification of the plan.

13.(1) The National Forest Resources Management Plan shall be submitted to the Minister for approval, with or without amendment, and thereafter submitted to the Cabinet in Zanzibar for approval, with or without amendment.

(2) Upon final approval of the National Forest Resources Management Plan, the Forest Administrator shall cause notice of the plan to be published in the Official Gazette, and shall make copies of the plan available at the main offices of the Forest Authority, its branch offices and at other appropriate government offices for inspection and for sale at a reasonable price.

(3) The Forest Administrator shall undertake a mid-term review of the National Forest Resources Management Plan and shall conduct such other periodic assessments of the plan as the Forest Administrator considers necessary to ensure that the plan is up to date and accurate.

(4) Based on the reviews conducted under subsection (3), the Forest Administrator shall update and amend the National Forest Resources Management Plan as needed, provided that any such amendment that significantly changes

the objectives or strategies set forth in the plan shall be subject to review and approval in accordance with section 13 and this section.

(5) The National Forest Resources Management Plan shall be fully reviewed and revised at least every ten years, in accordance with the provisions of (section 12 and) this section.

Power to collect information.

14. For the purpose of preparing the national forest inventory, the National Forest Resources Management Plan or for otherwise carrying out the purposes of this Act, the Forest Administrator is authorized to collect any necessary information on forest resources from any person.

PART IV FOREST RESERVES AND NATURE FOREST RESERVES

Power of the Minister to declare Forest Reserves.

15. Subject to the provisions of this Part and subject to applicable national land use plans, Reserves and after consultation with relevant government institutions, the Minister may declare any land in Zanzibar a Forest Reserve.

Nature Forest Reserves as sub-category of Forest Reserves.

16.(1) There shall be a sub-category of Forest Reserve called Nature Forest Reserve.

(2) Subject to the provisions of this Part, the Minister may designate any Forest Reserve or any part thereof as a Nature Forest Reserve, either at the same time as initial creation of the Forest Reserve, or at any time thereafter.

Management objectives for Forest Reserves and Nature Forest Reserves.

17.(1) Forest Reserves, other than Nature Forest Reserves, shall be managed as permanent forest areas for the purpose of providing the optimum combination of benefits of protection and production of which they are capable.

(2) Nature Forest Reserves shall be managed as permanent forest areas exclusively:

- (a) for the purpose of the permanent preservation of their environment, including flora, fauna, biodiversity, soil, water and scenic beauty; and

- (b) for scientific, educational, social or recreational uses compatible with the purpose set forth in (a).

Notice of intent to create a Forest Reserve.

18.(1) The Minister shall initiate the process of creating a Forest Reserve by publishing a notice of intent in the Official Gazette.

(2) On or about the date of publication of the notice of intent in the Official Gazette, the Forest Administrator shall:

- (a) publish the notice of intent in a newspaper of general circulation, followed by a second publication seven to ten days later; and
- (b) deliver copies of the notice of intent to the shehas or other appropriate representatives of persons living in or near the proposed Forest Reserve, with instructions to post the notice in conspicuous places and to inform local residents of its contents.

Contents of the notice of intent.

19. The notice of intent to create a Forest Notice of Intent Reserve shall include:

- (a) a map and description of the area;
- (b) a brief description of the purposes for which the Forest Reserve is being created;
- (c) procedures to be followed during the public review period described in section 20, including instructions for filing claims, complaints or comments with the Forest Administrator;
- (d) the date on which the public review period will end, which shall be at least 90 days after the notice of intent;
- (e) a statement that failure to file claims regarding existing rights within the public comment period shall result in the extinguishment of those rights.

Public review period.

20. Upon publication of the notice of intent, there shall be a public review period of not less than 90 days as specified

in the notice of intent, during which the Forest Administrator shall:

- (a) solicit public opinion about the proposal to establish a Forest Reserve;
- (b) attempt to identify any existing rights, recognised by law or by custom, over land, resources or improvements located in the proposed area.

Public meetings during the public review period.

21. During the public review period, there shall be at least one open public meeting in or near the proposed area, at which comments, recommendations and objections about the proposed Forest Reserve shall be solicited and recorded by the Forest Administrator.

Filing of claims and comments during the public review period.

22.(1) At any time during the public review period, and in accordance with instructions set forth in the notice of intent, any person may file with the Forest Administrator:

- (a) a claim alleging that the claimant holds rights over land, resources or improvements within the proposed Forest Reserve; and
- (b) any other comments or objections concerning the establishment of the proposed Forest Reserve.

(2) Any such filing may be made either in writing or orally, and the Forest Administrator shall keep complete records of all such claims, comments and objections, and any evidence submitted therewith.

Accommodation and extinguishment of existing Rights.

23.(1) Taking into account all relevant information submitted or obtained during the public review period, the Forest Administrator shall, as soon as possible after the close of said period, issue findings with respect to the claims under section 22:

- (a) identifying as completely as possible all validly existing rights in the proposed Forest Reserve, and
- (b) stating how such rights shall be treated in creating the Forest Reserve.

(2) In reaching the decision called for in subsection (1) (b), the Forest Administrator shall apply the following principles:

- (a) where such right can be accommodated within the proposed Forest Reserve without adversely affecting the purposes for which the Forest Reserve is being established, it shall be allowed to continue, subject to such reasonable conditions as the Forest Administrator may impose, and the Forest Administrator shall record it in the final Forest Reserve order in section 24;
- (b) where it is possible to do so without adversely affecting the purposes for which the Forest Reserve is being established, the Forest Administrator may modify the boundaries of the proposed Forest Reserve to exclude areas subject to the claimed right;
- (c) where the continued exercise of any such right would adversely affect the purposes for which the Forest Reserve is being established, it shall be modified or extinguished, as long as fair and adequate compensation for the disturbance of such right is given to any holder thereof, including compensation for any crops (including trees) or improvements.

(3) Compensation referred to in subsection (2) may be in the form of monetary compensation or the granting of similar rights of equivalent value to the claimant on land outside the Forest Reserve.

(4) Disputes concerning the recognition of rights or the payment of compensation shall be referred to the Land Tribunal.

Final Forest
Reserve order.

24.(1) After making the findings referred to in section 23, and taking into account the comments received and the information collected during the public review period, the Forest Administrator shall prepare a final Forest Reserve order, which shall include:

(a) a final description of the boundaries of the Forest Reserve;

(b) a description of any right identified and accommodated in accordance with section 23.

(2) The final Forest reserve order shall be submitted to the Minister, who no later than 90 days after the end of the public review period shall approve or reject it.

(3) The Minister may extend the deadline for approval or rejection of the final Forest Reserve order by appropriate notice.

(4) Upon approval of the final Forest Reserve order by the Minister, the Minister shall cause the order to be published in the Official Gazette.

Restriction on Rights while notice of intent is in effect.

25.(1) During the period that a notice of intent is in effect, unless otherwise authorised by the Forest Administrator:

(a) no right shall be acquired in or over the land, resources or improvements within the proposed Forest Reserve except by succession;

(b) no new right of occupancy shall be granted to land within the proposed Forest Reserve; and

(c) none of the activities set forth in section 32 may be carried out.

(2) A notice of intent shall be in effect until the Minister has approved or rejected the final Forest Reserve order, or until the expiration of the period for approval set forth in section 24, which ever comes first.

Restriction on Acquisition of new Rights in a Forest Reserve.

26.(1) No right shall be acquired in or over a Forest Reserve, by grant or prescription, except by succession or under a grant or contract in writing made by or with the approval of the Forest Administrator.

(2) In no event may land in a Forest Reserve be leased or otherwise alienated except:

- (a) with the express written consent of the Minister, and
- (b) for uses specifically permitted by the applicable forest management plan and consistent with section 17.

(3) In no event may any new right of occupancy be granted to any land within a Forest Reserve.

(4) Any rights for which a claim has not been made in accordance with section 22, or knowledge of which has not been brought to the attention of the Forest Administrator during the public review period, shall be extinguished:

Provided that, within six months after the publication of the final Forest Reserve order, if any person demonstrates to the Forest Administrator that he or she failed to make a claim regarding a valid right because of ignorance of the process, the Forest Administrator shall consider such claim and by order direct that any valid right so claimed shall be reviewed, modified or extinguished in accordance with the principles set forth in section 23.

Existing Reserves.

27. Forest reserves established under the Forest Reserve Decree, Cap. 120, and listed in Schedule 1 to this Act shall automatically be Forest Reserves under this Act.

Demarcation of boundaries.

28.(1) Within one year after the declaration of a Forest Reserve, the Forest Administrator shall cause the boundaries to be marked and maintained in such a manner as to be visible at all times.

(2) Within one year of the effective date of this Act, the Forest administrator shall cause the boundaries of each existing Forest Reserve listed on schedule 1 to be marked and maintained in such a manner as to be visible at all times.

(3) The Forest Administrator shall cause a map or plan of each Forest Reserve to be prepared, copies of which shall be maintained and made available for public inspection at:

- (a) the main office of the Forest Authority, and the office of the Forest Authority which is nearest the Forest Reserve in question;
- (b) the main office of the Director of Lands;
- (c) the offices of the relevant regional and district authorities.

Power to designate Forest Reserves as Nature Forest Reserves.

29. The Minister may at any time designate any Forest Reserve as a Nature Forest Reserve by order published in the Official Gazette, provided that if any such designation results in the disturbance of rights recognized under the final Forest Reserve order, fair and adequate compensation for the disturbance of such rights is given to any holder thereof.

Forest Area Management Plans for Forest Reserves.

30.(1) The Forest Administrator shall, in consultation with local residents and relevant institutions, prepare a forest area management plan for each Forest Reserve:

- (a) with respect to existing Forest Reserves, as soon as possible after the coming into effect of this law; and
- (b) with respect to new Forest Reserves, as soon as possible after the issuance of the final Forest Reserve order.
- (c) describe the surrounding areas and their interaction with the Forest Reserve, and assess the need for devising strategies to guide land use in such surrounding areas;
- (d) describe the communities residing in the vicinity of the Forest Reserve, including the level and type of their dependence on forest resources and their practices and rights with regard to the Forest Reserve;
- (e) set forth a programme for the involvement of local communities in forest use or management if appropriate in the circumstances, and identify any areas that might be appropriate for

designation as a Community Forest Management Area under Part V of this Act;

- (f) contain provisions regarding forest protection, such as fire prevention and control, control of pests and fungus, control of land clearing and soil conservation;
- (g) prescribe any logging and other forest harvesting practices to be followed;
- (h) prescribe the silvicultural, afforestation and reforestation measures to be applied; and
- (i) establish a zoning plan within each Forest Reserve, as may be appropriate, and describe the management strategy proposed for each zone.

(3) Each forest area management plan shall be made available for public inspection at the central office of the Forest Authority and in the office of the Forest Authority nearest to the Forest Reserve in question.

(4) Each Forest Reserve shall be managed and administered by the Forest Administrator in accordance with the applicable forest area management plan, and consistent with the purposes described in section 17.

(5) In the event any provision in a forest area management plan is inconsistent with the purposes set forth in section 17 for which Forest Reserves, or Nature Forest Reserves, as the case may be, are to be managed, said provision shall be considered void.

Degazettement of Forest Reserve and change of Nature Forest Reserve Status.

31.(1) Subject to the provisions of this section, the Minister may revoke the designation of all or a portion of any Forest Reserve, or change all or part of a Nature Forest Reserve into a regular Forest Reserve, by publishing an order to that effect in the Official Gazette.

(2) No order under subsection (1) may be issued unless:

- (a) notice of the proposed order has been published in the Official Gazette, stating the reasons for the proposed change of status and allowing 60 days for comment;
- (b) an environmental impact assessment of the proposed order has been undertaken in accordance with procedures specified in the environment law, or if no such procedures are then in effect, in accordance with procedures to be specified by the Minister in regulations under this Act;
- (c) persons living in the vicinity of the forest area in question have been given effective notice of the proposed revocation, and the Minister has solicited comments from such persons;
- (d) The Minister has considered all comments received under this section, and
- (e) with respect to an order which revokes a Nature Forest Reserve designation, approval for such an action has been given in writing by the President.

Activities prohibited in Forest Reserves without Authorization.

32. Unless authorised by a licence under section 62 or any applicable community forest management agreement, no person shall do any of the following acts in any Forest Reserve, or in any area subject to a notice of intent in accordance with section 25:

- (a) fell or extract trees;
- (b) take other forest produce;
- (c) take rock, sand, shells and soil;
- (d) clear land;
- (e) cut, burn, uproot, damage or destroy vegetation;
- (f) erect any buildings or livestock enclosures;

- (g) allow any domestic animal to enter therein;
- (h) plant any crops or trees;
- (i) construct or obstruct any roads, paths or waterways;
- (j) set any trap, snare or net or use or be in possession of any gun, poison or explosive substance;
- (k) hunt or fish;
- (l) conduct salt-making operations; or
- (m) conduct any other activity that is prohibited by regulations.

Inclusion of Forest Reserves in National Protected Area System, and delegation of management power.

33.(1) In the event a national park system or other national system of protected areas, is created after the effective date of this Act, the Minister may propose or consent to the inclusion of any Forest Reserve or any part thereof in such system, to be managed in accordance with relevant legislation.

(2) With respect to any Forest Reserve:

- (a) the Forest Administrator may enter into agreements with other relevant authorities, local residents or other persons for the integrated management of the Forest Reserve with other land areas and marine areas in the vicinity, subject to a management plan prepared in accordance with section 30 that covers the entire area intended for integrated management;
- (b) the Minister may delegate some or all of the Minister's powers with respect to the Forest Reserve (except the right to degazette or change the status of the Forest Reserve), and may assign some or all of the Forest Administrator's powers with respect to the Forest Reserve, to any board, committee or other body, subject to such limitations, conditions, supervision and

powers of revocation as the Minister deems appropriate;

(3) Any Forest Reserve subject to the provisions of subsection (2) shall remain subject to this Act, including without limitation to the provisions of section 17.

PART V COMMUNITY FOREST MANAGEMENT AREAS

Purpose of
Community
Forest
Management
Areas

34. The purpose of Community Forest Management Areas is to provide local communities or groups with a means of acquiring clear and secure rights to plan, manage and benefit from local forest resources, on a sustainable basis, in order to help meet local needs, stimulate income generation and economic development, and enhance environmental stability.

Areas in which
Community
Forest
Management
Areas may be
established.

35.(1) Subject to the provisions of this Part, Community may be established in any area of land in Zanzibar, including any area within a Forest Reserve or Nature Forest Reserve.

(2) The establishment of a Community Forest Management Area in any area subject to existing rights of occupancy or use shall require (i) the consent of the holders of such rights, or (ii) the accommodation of those rights within the applicable community forest management agreement.

Management of
Community
Forest
Management
Areas.

36.(1) A Community Forest Management Area shall be managed in accordance with the terms of a community forest management agreement formulated in accordance with this Part.

(2) The management agreement may authorise any activities that are consistent with the purposes set forth in section 34 and that comply with this Act.

(3) The management of a Community Forest Management Area located in a Forest Reserve or Nature Forest Reserve shall be consistent with the principles set forth in section 17.

Formation of
Community
Management

37.(1) Any group of persons living in or near an area and wishing to manage that area as a Community Forest Management Area may form a community management

Group and submission of request to Forest Administrator.

group, and request the Forest Administrator to enter into a management agreement for the proposed area with the community management group.

(2) When making such a request, the community management group shall indicate in general terms the types of activities it proposes to undertake in the proposed area.

(3) The community management group may select its own members, provided that any person living in close proximity to the proposed area or having strong traditional ties to its use shall be given a free and fair opportunity to join the community management group.

Consultation and Evaluation by the Forest Administrator.

38. Upon receiving a request under section 37, the Forest Administrator shall, as soon as possible, consult with the community management group, other persons living in the vicinity, relevant government authorities and community leaders, in order to evaluate the area applied for and the qualifications of the community management group to manage it, taking into consideration:

- (a) whether the proposed area has good potential to support the proposed activities, on a sustainable basis;
- (b) whether there are special environmental characteristics of the proposed area that should be taken into account;
- (c) whether the proposed area is free of existing rights, and if not, whether such rights can be accommodated within a viable community forest management agreement or by some other means;
- (d) whether any government institution or other person having power over the allocation of such land agrees to its use as a Community Forest Management Area;
- (e) whether there is a general local consensus in favour of designating the proposed area as a Community Forest Management Area;

- (f) whether the community management group has complied with section 37(3);
- (g) whether the community management group has demonstrated a willingness and capacity to manage the area in an equitable and sustainable manner.

Community
Forest
Management
Agreement.

39. If in light of the consultations Agreement and inquiries referred to in section 38, the community management group and the Forest Administrator reach preliminary agreement on the creation of a Community Forest Management Area, they shall formulate a management agreement which shall include the following:

- (a) a statement of the purposes for which the Community Forest Management Area is being created;
- (b) a description and map of the area and of different zones (if any) within the area to which different management strategies may apply;
- (c) a list of members of the community management group;
- (d) description of management activities to be undertaken by the community management group;
- (e) rules concerning access to and use of the area, including fees that may be charged by the community management group and group issued licences that may be required;
- (f) rules concerning the penalties to be imposed for violating the working plan, including grounds for expulsion of members;
- (g) the rights and duties of the parties to the agreement, which unless specifically stated otherwise in the agreement, shall include the basic rights and duties set forth in sections 40 and 41 ;

- (h) a description of the continuing rights of any third parties within the area;
- (i) the duration of the agreement, and
- (j) other matters that the parties may agree to include or as may be specified in regulations.

Basic Rights and Duties of the community Management Group.

40. Unless the management agreement specifically states otherwise, the rights and duties of the community management group under the management agreement shall include the following:

- (a) the right and duty to manage the area and undertake other activities in accordance with the management agreement;
- (b) the right to harvest and sell forest produce and enjoy other benefits of the area in accordance with the management agreement, without payment of royalties to the Forest Administrator;
- (c) the right and duty to enforce rules set forth in the management agreement;
- (d) the right to exclude non-members of the group from use of the Community Forest Management Area;
- (e) the right to establish and manage a fund for purposes of carrying out activities under the management agreement, and to deposit in such fund any fees or penalties collected under the management agreement;
- (f) the duty to abide by the terms and conditions of the management agreement, this Act and other applicable laws.

Basic Rights and Duties of Forest Administrator.

41. Unless the management agreement specifically states otherwise, the rights and duties of the Forest Administrator under the management shall include:

- (a) the duty to provide technical assistance and advice to the community management group concerning implementation of the management agreement;
- (b) the duty to refrain from undertaking or authorizing activities in the Community Forest Management Area that are inconsistent with the management agreement, including the granting of rights, licenses or permissions to persons other than the community management group;
- (c) the duty to assist the community management group in the enforcement of the rules established under the management plan;
- (d) the duty to prosecute diligently any person who may act in contravention of the management agreement or this Act with respect to the Community Forest Management Area;
- (e) the right to monitor the performance of the community management group under the management agreement and to terminate the agreement in accordance with section 47; and
- (f) the duty to abide by the terms and conditions of the agreement, this Act, and other applicable laws.

Signature of Agreement and final designation of the Community Forest Management Area by the Minister.

42.(1) Upon signature of the community Final Designation of the forest management agreement by the community management group, the Forest Administrator shall sign the agreement, and forward the management agreement to the Minister for approval.

(2) Upon approval by Minister, the management agreement shall take effect, and the Minister shall issue an order in the Official gazette declaring the creation of the Community Forest Management Area and giving notice that the agreement is in effect.

(3) As soon as possible after approval by the Minister, the community management group and the Forest Authority

shall cause the boundaries of the Community Forest Management Area to be marked in a manner that is clearly visible.

Activities prohibited in Community Forest Management Area without authorization.

43. Unless authorised in accordance with the terms of the applicable community forest management agreement, no person shall do any of the following acts in a Community Forest Management Area:

- (a) conduct any of the acts set forth in paragraph (a) of section 32; and
- (b) conduct any other activity that is prohibited by, or for which permission is required under, the community forest management agreement, or any rules or by-laws issued thereunder.

Community Management Group members as enforcement officers.

44. Without limiting the Minister's general powers to appoint enforcement officers under this Act, a community forest management agreement may provide for the appointment of some or all of the members of the community management group as enforcement officers with respect to the relevant Community Forest Management Area, with some or all of the powers of enforcement officers set forth in this Part.

Prohibition against granting of conflicting Rights.

45.(1) Without limiting the generality of the Granting of provisions of this Part, while a management agreement is in effect, no government institution or other person may grant rights or permissions to any person to carry out activities within a Community Forest Management Area that are prohibited by the management group to manage the area and enjoy the benefits thereof in accordance with the management agreement.

(2) Without limiting the foregoing, the provisions of a management agreement shall override any contradictory or overlapping provisions of by-laws made under section 37 of the Zanzibar Municipal Council Act, 1995 and section 5 and 31 of the District and Town Councils Act, 1995, to the extent those by-laws purport to apply to the Community Forest Management Area.

Legal Status of the Community Management Group.

46. Upon approval of the management Community management group agreement by the Minister, the community management group shall be deemed to be a legal person or body corporate under applicable law, with the right to sue and be sued, to hold and dispose of property, to enter into binding contracts, to borrow money, or to undertake such other activities as may be allowed by law and the agreement.

Termination of the Agreement by the Forest Administrator.

47.(1) The Forest Administrator shall have the right to revoke the management agreement in the event of serious and continuing violations of the management agreement by the community management group, and in the event the community management group fails to take necessary steps to remedy such violations within a reasonable time after receiving notice of such violations from the Forest Administrator.

(2) In the event of revocation by the Forest Administrator, the community management group shall be entitled to compensation equal to:

- (a) the value of any existing forest produce planted by the group, that the group would have been entitled to harvest if not for the termination of the agreement, minus;
- (b) the value of any unreimbursed subsidies made by the Forest Authority in support of said planting and the cost of unauthorised damage done by the community management group.

(3) Without limiting any general rights of appeal that may be available under this Act or any other law, the community management group shall have the right to appeal any such revocation to the Minister, and if the Minister upholds the revocation, to the High Court.

PART VI SPECIAL FOREST MANAGEMENT AREAS

Power to declare Special Forest Management Area.

48. Subject to the provisions of this Part Special Forest and after consultation with relevant government institutions, the Minister may declare any land in Zanzibar located outside of Forest Reserves or Community Forest Management Areas to be a Special Forest Management Area.

Purpose of Special Forest Management Areas.

49. A Special Forest Management Area may be established for any of the following reasons:

- (a) to protect forest areas outside of Forest Reserves or Community Forest Management Areas that are undergoing degradation or deterioration due to excessive or uncontrolled exploitation or encroachment;
- (b) to establish conservation and management controls in watershed areas and other areas in which the destruction or deterioration of forest resources has caused or is likely to cause serious damage to soil and water resources; or
- (c) to establish controls of lands that are in a dangerous or unstable state along roadside, river or stream banks, or near residential or industrial areas.

Notice of intent to create a Special Forest Management Area.

50.(1) The Minister shall initiate the process of creating a Special Forest Management Area by publishing a notice of intent in the Official Gazette.

(2) On or about the date of publication of the notice of intent in the Official Gazette, the Forest Administrator shall:

- (a) publish the notice of intent in a newspaper of general circulation, followed by a second publication seven to ten days later; and
- (b) deliver copies of the notice of intent to the shehas or other appropriate representatives of people living in or near the proposed Special Forest Management Area, with instructions to post the notice in conspicuous places and to inform local residents of its contents.

Contents of the notice of intent.

51. The notice of intent to create a Special Forest Management Area shall:-

- (a) include a draft final order for creation of the area, setting forth

- (i) a map and description of the area;
 - (ii) a description of the problem necessitating creation of the area;
 - (iii) a description of measures that would govern activities within the area; and
 - (iv) the proposed duration of the Special Forest Management Area status.
- (b) procedure to be followed during the public review period described in section 53, including instructions for filing complaints or comments with the Forest Administrator;
 - (c) the date on which the public review period will end, which shall be at least 60 days after the notice of intent.

Interim protection.

52.(1) The Minister may, by order published in the Official Gazette, adopt in respect of any proposed Special Forest Management Area for which a notice of intent has been issued, such interim measures as may be necessary to protect the Area pending the issuance of a final order under section 55.

(2) Any interim measures adopted under this section shall remain in force for such period not exceeding 180 days as may be specified in the order, or until issuance of a final order under section 55, whichever may occur first.

Public review period.

53. Upon publication of the notice of intent, there shall be a public review period of not less than 60 days as specified in the notice of intent during which the Forest Administrator shall:

- (a) solicit public opinion about the proposal to establish a Special Forest Management Area;
- (b) attempt to identify existing rights over land, improvements and resources in the area that may be affected by the establishment of the proposed Special Forest Management Area; and

- (c) attempt to design the final order described in section 55 in a way that minimizes disruption to the rights mentioned in (b), above, except as may be essential for achieving the objectives of the proposed area.

Filing of comments and objections.

54. At any time during the public review period, any person may file comments and objections with the Forest Administrator regarding the establishment of the proposed area or provisions in the draft final order, either orally or in writing, and the Forest administrator shall keep complete records of all such comments and objections.

Final order creating a special Forest Management Area.

55.(1) Upon completion of the public review period, and taking into account the comments, recommendations and objections received and the information collected, the Forest Administrator shall modify the draft final order as appropriate, and submit the proposed final order for approval to the Minister.

(2) Upon approval of the final order by the Minister, the Minister shall cause the final order to be published in the Official Gazette.

Management plan.

56.(1) The Forest Administrator shall prepare a management plan for each Special Forest Management Area as soon as possible after issuance of the final order under section 55, setting forth the information contained in the final order, and such other information as the Forest Administrator may consider appropriate.

(2) Any such management plan shall be prepared in consultation with local residents and relevant institutions.

(3) Each such management plan shall be made available for public inspection at the central office of the Forest Authority and in the office of the Forest Authority nearest to the Special Forest Management Area in question.

Activities prohibited in Special Forest Management

57. Unless authorised under this Act by a licence or otherwise, no person shall do any of the following acts in a Special Forest Management Area:

Areas without authorization.

- (a) fell or extract trees;
- (b) conduct any other activity that is prohibited by, or for which permission is required under, the final order creating the Special Forest Management Area or any regulations issued in accordance therewith.

Regulations.

58.(1) Without limiting the generality of the Minister's powers set forth in section 100, the Minister may make regulations concerning Special Forest Management Areas in general, and regulations that apply to specific Special Forest Management Areas.

(2) Regulations referred to in sub-section (1) may include regulations:

- (a) controlling the cutting or extraction of trees, firewood and other forest produce in an area, including the closure of all or part of an area to such activities;
- (b) controlling land clearing and other activities which are likely to aggravate the problems for which an area was established;
- (c) establishing procedures to be followed during the public review period referred to in section 53;
- (d) establishing funds for specific areas and rules for their administration; and
- (e) other regulations the Minister deems necessary for implementation of this Part.

(3) Notwithstanding subsections (1) and (2), any regulations relating to a specific area, or any general regulations to the extent they apply to a specific area, must be directly related to the objectives for which the area was created and consistent with the final order creating the area.

Appeal by persons aggrieved by a

59.(1) Any person holding rights over land, in a Special Forest Management Area, or to resources or improvements located thereon, may submit a petition and supporting

final order.

evidence to the Minister, requesting that Minister exempt the land in question from application of all or any provisions of the final order, or of any regulations issued thereunder.

(2) Any such petition shall be accompanied by evidence intended to show that application of the specified provisions to the land in question is causing or is likely to cause extreme hardship to the petitioner.

(3) Upon receiving a petition, the Minister shall endeavour to determine whether application of the specified provisions to the land in question is necessary for accomplishing the objectives for which the Special Forest Management Area was established.

(4) Based on the foregoing review, the Minister shall within sixty (60) days after its submission, reject or approve the petition in whole or in part, and shall issue an order accordingly.

(5) If the Minister rejects the petition in whole or in part, the petitioner may appeal the rejection to the land Tribunal or to any other court having jurisdiction.

(6) Where the petitioner can demonstrate to the satisfaction of the land Tribunal or other court that the application of the specified provisions has resulted in the loss of all or nearly all the value of his rights over the land in question or to any crops (including trees) or improvements located thereon, the petitioner shall be entitled to fair and adequate compensation.

Discontinuance or modification of a Special Forest Management area.

60.(1) The status of an area as a Special Forest Management area shall terminate on the date for termination, if any, set forth in the notice of intent, unless extended or earlier terminated by the Minister in accordance with this section.

(2) The Minister may revoke, extend or otherwise modify the status of a Special Forest Management Area by order in the Official Gazette, provided that in the case of a proposed revocation or extension, or in the case of other proposed modifications that may significantly affect existing rights in the area, the procedures set forth in this Part regarding notice and public review are followed.

Delegation of powers under this part to a multi-sectoral body.

61. If the Minister determines that the objectives of one or more Special Forest Management Areas can best be accomplished by close and on going collaboration with other government or non-government institutions or other persons, the Minister may:

- (a) invite any such institutions or other persons to participate in a multi-sectoral committee for planning, management, monitoring and other activities relevant to the area(s);
- (b) create such a committee by order in the Official Gazette; and
- (c) delegate some or all of the Minister's powers and responsibilities under this Part, and re-assign some or all of the Forest Administrator's powers and responsibilities under this Part, to said committee by order in the Official Gazette.

PART VII LICENCES

Licences for Utilization of Forest produce in Forest Reserves.

62.(1) Subject to section 68, upon application in the prescribed form a licensing officer may issue a licence authorising the holder thereof to perform such of the following activities in a Forest Reserve (excluding Nature Forest Reserves), as may be specified in the licence:

- (a) fell or extract timber;
- (b) take other forest produce;
- (c) erect buildings or livestock enclosures;
- (d) allow domestic animals to enter;
- (e) plant crops or trees;
- (f) construct roads, paths or waterways;
- (g) hunt or fish; and

(h) other activities for which the granting of a license has been specifically authorized by regulations.

(2) Subject to section 69, upon application in the prescribed form a licensing officer may issue a licence authorising the holder thereof to perform such of the following activities in a Nature Forest Reserve as may be specified in the licence:

(a) extract dead trees;

(b) harvest non-timber forest produce;

(c) other activities for which the granting of a license has been specifically authorized by regulations.

Licences for utilization of Forest produce in a special forest management Area.

63. Subject to section 68, upon application in the prescribed form a licensing officer may issue a licence authorising the holder thereof to perform such of the following activities in a Special Forest Management Area as may be specified in the licence:

(a) fell or extract trees;

(b) other activities restricted by the applicable forest management plan or regulations, for which the granting of a license has been specifically authorized by regulations.

Licences in Community Forest Management Areas.

64. Within a Community Forest Management Area, the community forest management agreement shall be deemed to be a licence to engage in the activities authorised therein, and the power of a licensing officer to issue other licences, if any, shall be as specified in the management agreement.

Prohibited activities and licences outside of classified Forest Areas.

65.(1) Unless authorised under this Act by a licence or otherwise, no person shall do any of the following acts on land located outside of a classified forest area:

(a) on privately-held land, fell or extract any tree unless otherwise stipulated in regulations;

(b) on land available to the government:

- (i) fell or extract any trees, and
- (ii) conduct any other activity that is prohibited by, or for which permission is required under, any regulations issued under this Act.

(2) subject to section 68, upon application in the prescribed form a licensing officer may issue a licence authorising the holder thereof to engage in the activities restricted by or under subsection (1) with respect to land outside of classified forest areas.

Rights to
planted Forest
produce.

66. Without limiting any rights to the ownership, use or harvesting of forest produce that may accrue under this Act or under any other law:

- (a) any person who plants trees on any land which that person is entitled to use for that purpose shall retain the right to harvest the resulting forest produce and to dispose of it freely, subject to the terms of any applicable forest area management plan, lease, contract or other agreement;
- (b) where any person has planted trees on land which that person was entitled to use for that purpose and that land is reallocated to another person or reverts at the termination of lease or agreement or is acquired for a public purpose, such person shall be entitled to compensation for the value of the trees so planted and associated forest produce.

Reserved Trees.

67.(1) If the Minister thinks that any kind or category of trees should for any reason be generally conserved, the Minister may, by order in the Official Gazette, declare such kind or category of tree to be a reserved tree.

(2) No person may fell, cut, fashion, burn, injure, take or remove any reserved tree, except in accordance with a licence issued by an authorized licensing officer.

General provisions concerning licences.

68.(1) No licence shall be granted under Concerning Licences sections 63,64,65 or 66 unless the activity in question:

- (a) is consistent with any applicable forest area management plan, environmental management plan or land use plan;
- (b) with respect to Forest Reserves and Nature Reserves, is consistent with the purposes set forth in section 17, respectively;
- (c) is in compliance with all environmental, land use and other applicable laws.

(2) No licence shall be required for activities which are specifically allowed without licence under the terms of an applicable forest area management plan or otherwise, including without limitation:

- (a) activities allowed under a community forest management agreement;
- (b) the exercise of rights set forth in a final Forest Reserve order.

Content of a licence.

69. Every licence shall specify:

- (a) the authorised activity;
- (b) the date of issue;
- (c) the date of expiry;
- (d) the latest date at which the activities authorised under it shall be started;
- (e) the area or place with respect to which the licence is issued;
- (f) the fee, if any, to be paid for issuance of the licence;

- (g) such conditions as the licensing officer may deem necessary to ensure that the activity is carried out in a way which is consistent with an applicable forest management plan and this Act; and
- (h) any other information that may be required by the Forest Administrator under regulations.

Logging
Workplans.

70.(1) Every licence for timber harvesting shall be subject to the provisions of a logging workplan in accordance with this section, if:

- (a) the area covered by the licence exceeds two hectares in size; or
- (b) the area in question is less than two hectares in size, but the licensing officer or the Forest Administrator determines that a logging workplan is necessary to ensure appropriate logging practices.

(2) Logging workplan required by this section shall be attached to the licence, and no operations under the licence shall commence until the workplan has been approved by the Forest Administrator.

(3) The logging workplan shall be consistent with the applicable forest area management plan and shall:

- (a) specify an annual cut and any periodic limits within which the rate of timber harvesting shall be maintained;
- (b) specify any trees to be left in place;
- (c) specify any minimum utilizable size of timber to be felled;
- (d) indicate the layout of any roads or trails that the licensee shall be obligated to construct and use;
- (e) specify any reforestation or other post-harvest operations;

- (f) specify restrictions on the machinery that can be used in order to minimize environmental impacts; and
- (g) specify the time period in which the logging is to be completed.

Other Licences.

71.(1) The Minister may, by regulations, authorize the Forest Administrator to require licences for the following activities:

- (a) the transport of firewood, timber or other forest produce;
- (b) the making of charcoal and lime;
- (c) the operation and maintenance of sawmills and pit sawing;
- (d) the importation and exportation of forest produce from Zanzibar;
- (e) such other activities for which the Minister considers a licence necessary in order to accomplish the purposes of this Act.

(2) The form, contents and conditions of any such licences, including the grounds on which they may be denied, shall be set forth in regulations.

Fees and Royalties.

72.(1) All licences shall be subject to the payment of such fees as the Minister may prescribe in regulations.

(2) Any licence relating to the harvesting or extraction of forest produce from Forest Reserves or land available to the government shall be subject to the payment of such royalties as the Minister may prescribe in regulations.

(3) No fees or royalties under this section shall be required for the harvesting or extraction of forest produce carried out in accordance with a community forest management agreement unless such a requirement is set forth in the agreement.

PART VIII
CONSERVATION OF WILD ANIMALS AND WILD
PLANTS

Preparation of protected wild Animal and Wild plant Lists.

73.(1) In consultation with the institution responsible for the environment, the Minister shall issue as regulations under this Act lists of wild animals and wild plants which are to be totally protected.

(2) The lists referred to in subsection (1) shall include any animals or plants identified by the institution responsible for the environment as endangered or threatened with extinction pursuant to the environmental law.

(3) Until such time as the lists referred to in subsection (1) are prepared, the Schedule in the Wild Animals Protection Decree, Cap. 128, and Schedule 1 in the Wild Birds Protection Decree, Cap 129, and any presently valid amendments thereto, shall be considered to be lists issued under this section.

Prohibited activities regarding protected. Animals and Plants.

74. No animal or plant listed on a list prepared in accordance with section 73 may be killed, injured, destroyed, captured, collected or otherwise taken, nor may the nest or eggs of any listed animal be taken, injured or destroyed except:

- (a) pursuant to a special permit issued under section 75, or
- (b) with respect to listed animals, to defend against an attack or imminent threat of attack on human life, in which case the action shall be reported, and the animal or parts of the animal shall be handed over to the nearest Forest Officer as soon as possible within the following thirty (30) days.

Special Permits.

75.(1) The Forest Administrator, in consultation with the institution responsible for the environment, may issue a special permit for taking any animal or plant listed in accordance with section 73 for:

- (a) scientific or conservation purposes, or
- (b) purposes of culling or control.

(2) The Minister, in consultation with the institution responsible for the environment, may make regulations establishing conditions, procedures or other matters concerning the issuance of special permits and the activities authorized thereunder, including the transport and trading of any protected wild animals or wild plants.

Other wild
Animals.

76.(1) The Minister may, by regulation issued under this Act, regulate the killing, injuring, destroying, capturing, collecting, taking or transport of wild animals not appearing on a list prepared in accordance with section 73, including without limitation:

- (a) regulations banning or requiring licences for the hunting of specified animals;
- (b) regulations specifying seasons and areas within which hunting may take place;
- (c) regulations restricting, banning or requiring certain hunting practices;
- (d) regulations concerning nesting places of specified animals;
- (e) regulations establishing bird sanctuaries;
- (f) regulations concerning trade and transport of wild animals;
- (g) regulations regarding fees to be paid in connection with specified activities.

(2) Any regulations issued under the Wild Animals Protection Decree, Cap. 128, and the Wild Birds Protection Decree, Cap. 129 and in effect as of the date of this Act shall be considered regulations issued pursuant to this section, until the same shall be amended or repealed.

(3) Without limiting the generality of subsection (2):

- (a) any bird sanctuary established under the Wild Birds Protection Decree, Cap. 129, shall be considered a bird sanctuary established by regulations under this section; and
- (b) section 5 and Schedule II of the Wild Birds Protection Decree, Cap. 129 as the same may have been amended, shall remain in force as if the same were regulations issued under this section.

**PART IX
FIRES**

Restrictions on the Setting of Fires.

77.(1) Unless authorized in accordance with this Act, no person shall light or cause to be lit a fire in any Forest Reserve or Fire Hazard Area declared under subsection (2) except in a place established by a forest officer for the purpose of lighting fires.

(2) The Minister may by notice in the Official Gazette declare any area of Zanzibar to be a Fire Hazard Area and require an authorization or otherwise regulate the lighting of fires in such areas.

Liability for Damage caused by Fire.

78.(1) Any person who lights a fire in violation of the provisions of section 77 shall be liable for any damage caused by the fire, notwithstanding any efforts that person may have made to prevent such damage.

(2) Where a fire escapes from an area occupied by any person, that person shall be liable for any damage caused by that fire unless it is proved that neither that person nor anyone in the employ of that person lit the fire, and that he or she took all possible measures to prevent such damage.

Duty to extinguish fires.

79.(1) Any person who is in the vicinity of and is aware of a fire which is causing damage or is likely to spread shall assist to the best of that person's capabilities in extinguishing the fire.

(2) For the purposes of subsection (1), any person may enter upon any land where the fire may be or to which there

is reason to believe the fire may spread and may do such things as are reasonably necessary to control or extinguish the fire.

**PART X
FORESTRY DEVELOPMENT FUND**

Establishment of a Forestry Development Fund.

80. The Minister may, subject to authorization by the Minister responsible for finance, establish through regulations a Forestry Development Fund, to be used for:

- (a) expenses related to reforestation;
- (b) extension and research;
- (c) loans and grants to persons or groups desiring to plant trees or manage forests;
- (d) any other activities directly related to the fulfilment of the purposes of this Act.

Monies for the Fund.

81. The Forestry Development Fund shall comprise:

- (a) any sums contributed to the Forestry Development Fund by private individuals, foundations, corporations and international organizations;
- (b) any sums appropriated to the Fund by the Government;
- (c) all or some of the amounts collected as penalties, fees or royalties under this Act (including sums obtained through the sale of confiscated materials under section 96, but excluding sums collected by a community management group under a community forest management agreement), as may be specified in regulations; and
- (d) other sums designated in regulations.

Administration and

82.(1) The Forestry Development Fund shall be administered by the Minister in accordance with the

recordkeeping. requirements of this Act and any regulations issued by the Minister in consultation with the Minister responsible for finance.

(2) The Minister shall ensure that proper books and other records of account in respect of receipts and expenditures of the Forestry Development Fund are kept.

(3) At the end of each financial year, the Minister shall prepare a report concerning the activities of the fund during that financial year, which report shall include:

- (a) an audited balance sheet;
- (b) an audited statement of income and expenditure;
- (c) such other financial information as may be required by the Minister responsible for finance.

PART XI POWERS OF ENFORCEMENT OFFICERS

Inspection.

83. An enforcement officer may:

- (a) require the production by any person of any licence or other authority for any act committed by such person for which such licence or other authority is required by or under this Act;
- (b) without a warrant, stop and inspect any vehicle which the officer reasonably suspects is carrying any forest produce which has been obtained in contravention of this Act or for which a transportation document is required under this Act; and
- (c) without a warrant, enter and search any building other than a dwelling house and any enclosure where the officer reasonably suspects that forest produce in respect of which an offence has been committed is stored.

Seizure.

84. Where in the course of any inspection authorized by section 82 there is found any article which appears to be an

article in respect of which an offence has been committed or which has been used in the commission of an offence, the enforcement officer conducting the search or inspection may seize such article.

Custody of
seized articles.

85.(1) Any article seized under section 84 shall be brought to the nearest police station or if it is not feasible to deliver it to the police station, it shall be given into the custody of the Forest Administrator and a report of the seizure shall be made to the relevant police station.

(2) Any article held by the police or the Forest Administrator shall be retained until the offence in connection with which it was seized has been tried or compounded or a decision has been made not to prosecute.

(3) Where any seized article is perishable, the Forest Administrator may order the article sold or destroyed and the proceeds if any retained in its place.

Arrest.

86.(1) An enforcement officer may, without a warrant arrest any person whom the officer reasonably suspects has committed an offence under this Act, if:

- (a) such person refuses to give his or her name and address or gives a name and address which the officer reasonably believes to be false; or
- (b) if the officer has reason to believe that such person will abscond.

(2) The police shall assist other enforcement officers in arresting offenders under this Act.

Power to
prosecute.

87. Any enforcement officer may:

- (a) prosecute an offender against this Act before a magistrate; or
- (b) deliver an offender to the police for prosecution.

PART XII OFFENCES

Offences concerning Classified Forest Areas.

88. Any person who without authority under this Act, performs in a classified forest area, or in any area subject to a notice of intent, any activity prohibited in such area by sections 25(c), 32, 43, 52, and 57 shall be guilty of an offence, and shall be liable on conviction to imprisonment for a term not less than six months or to the applicable fine stipulated in Schedule 2, or both.

Offences concerning cutting of trees and other Restricted Activities outside of Classified Forest Areas.

89. Any person who without authority under this Act, performs any activity outside a classified forest area that is prohibited in Classified accordance with section 65 shall be guilty of an offence, and shall be liable on conviction to imprisonment for a term not less than six months or to the applicable fine stipulated in Schedule 2, or both.

Reserved Tree Offences.

90. Any person who without authority under this Act, cuts or destroys any reserved tree designated in accordance with section 68 shall be guilty of an offence, and shall be liable on conviction to imprisonment for a term not less than six months, or to the applicable fine stipulated in Schedule 2, or both.

Wild Animal and wild Plant Offences.

91. Any person who without authority under this Act:

- (a) kills, injures, destroys, captures, collects or otherwise takes any wild animal or plant listed under section 73, or takes, injures or destroys the nest or egg of any such wild animal;
- (b) within a bird sanctuary, kills, wounds or captures any wild bird or takes, injures or destroys any nest or egg of such bird;
- (c) kills, wounds or captures any wild bird to which section 76(2) applies during the applicable closed season;
- (d) exposes or offers for sale or purchase or has in his or her possession or control any wild animal

listed in section 73, or any nest or egg thereof, or any skin or part thereof;

- (e) exports or attempts to export the skin or any part of a wild animal killed, injured, destroyed, captured, collected or otherwise taken in contravention of this Act;

shall be guilty of an offence, and shall be liable on conviction to imprisonment for a term not less than six months, or to the applicable fine stipulated in Schedule 2, or both.

Fire offences.

92. Any person who without authority under this Act lights a forest fire or causes one to be lit in violation of section 77 or permits a fire to burn out of control in, or spread to a classified forest area, shall be guilty of an offence, and shall be liable on conviction to imprisonment for a term not less than six months, or to the applicable fine stipulated in Schedule 2, or both.

Other offences.

93. Any person who without authority under this Act:

- (a) undertakes without a licence any activity for which a licence is required under this Act;
- (b) knowingly makes a false or incorrect statement, report or entry of any information that must be supplied under this Act;
- (c) hinders or obstructs a forest officer or other authorised officer in the exercise of that officer's duties under this Act;
- (d) knowingly receives or is in possession of any forest produce in respect of which an offence has been committed under this Act;
- (e) alters, removes, or destroys any boundary marker placed by an authorized person to mark any area for the purposes of this Act;
- (f) removes, alters, defaces or obliterates any mark or sign placed upon forest produce by a forest

officer or other authorized person, or counterfeits such mark or sign;

shall be guilty of an offence, and shall be liable on conviction to imprisonment for a term not less than six months, or to the applicable fine stipulated in Schedule 2, or both.

Minister's power to Amend.

94. The Minister may amend Schedule 2 by notice in the Official Gazette.

Presumption.

95. Where any person in a classified forest area possesses any forest produce which that person is not authorized to take from such area, that person shall be presumed, unless the contrary is proved, to have taken such produce from such area.

Additional orders on conviction.

96.(1) Upon convicting any person of an offence against this Act, the Court, in addition to any other penalty provided by this Act, shall order:

- (a) that any licence held by the offender shall be cancelled;
- (b) that any forest produce in respect of which the offence has been committed and anything which has been used in the commission of the offence shall be forfeited;
- (c) that where any forest produce has been damaged, injured or removed in the commission of the offence, the offender shall pay compensation equivalent to the value of the produce;
- (d) that the offender shall pay ten times the amount of any royalties and other fees which, had the act constituting the offence been authorized, would have been payable in respect thereof; and
- (e) that the offender shall reimburse the Forest Authority for any costs it incurred in the seizure, storage, maintenance and removal of confiscated goods, or any other costs incurred in connection with the offence.

(2) Where any order is made under subsection (1) in respect of forest produce from a Community Forest Management Area, the Court shall order any property to be forfeited and any amounts to be paid under subsection (1) (b),(c) and (d) to be forfeited and paid to the relevant community management group, provided the Court determines that the community management group did not aid or abet the commission of the offence.

Repeat offenders.

97. Any person who, within two years of a conviction under this Act, is convicted of a subsequent offence enumerated in this Act shall be liable to double the fine or double the term of imprisonment or both.

Compounding of offences.

98.(1) If the Forest Administrator is satisfied that evidence is available that would reasonably support the bringing of charges against a person for an offence under this Act, and if that person agrees in writing to the offence, the Forest Administrator may compound the offence by accepting on behalf of the Government from that person:

- (a) a sum equal to the fine specified for the offence, together with all reasonable expenses the Government may have incurred in the seizure, storage, maintenance or removal of any articles seized in connection with the offence;
- (b) payment of all royalties or other fees due, or which would have been due if the act had been authorized under this Act;
- (c) where forest produce has been damaged, injured, or removed in the commission of the offence, a sum of money not exceeding the value of such produce.

(2) Where any property has been seized in connection with the offence compounded under this section, the Forest Administrator may, if such property belongs to the offender, either release it to him on payment of a sum of money not exceeding the value thereof, or confiscate it for the Government.

(3) The compound of an offence by any person under this section shall be a bar to any further penal proceedings against that person in respect to that offence.

PART XIII MISCELLANEOUS

Immunity.

99. No action shall be brought against any authorized forest officer, enforcement officer or licensing officer in respect of anything done or omitted to be done by that officer in good faith in the execution or purported execution of his or her powers and duties under this Act.

Power to make Regulation.

100.(1) The Minister may make regulations for the effective implementation of this Act, and without prejudice to the generality of the foregoing, the Minister may:

- (a) prescribe procedures for the establishment and management of classified forest areas;
- (b) regulate the cutting, harvesting or extraction of forest produce on land available to the government, including designating areas closed for cutting;
- (c) regulate or prohibit access to any part of a Forest Reserve;
- (d) prescribe the form and contents of any application, licence or agreement;
- (e) prescribe the conditions of any category of licence or agreement;
- (f) prescribe the setting of fees for any licence;
- (g) prescribe the contents of forest area management plans;
- (h) appoint enforcement and licensing officers, and stipulate the conditions or limitations of such appointments;

- (i) make regulations and orders in accordance with specific powers granted under other sections of this Act; and
- (j) regulate all other matters related to the purposes and implementation of the provisions of this Act.

(2) Except as otherwise stated in this Act, any regulation made under this Act may provide that any violation thereof shall be an offence punishable by a term of imprisonment of not less than six months and a fine of not less than 59,000/- Tsh. or both.

Repeal and saving.

101. The following laws are repealed:

- (i) Forest Decree Cap. 120;
- (ii) Wood Cutting Decree Cap. 121;
- (iii) Wild Animal Protection Decree Cap.128;
- (iv) Wild Bird Protection Decree Cap. 129.

APPENDIX 1:

The species which are to be totally protected year round and which are to be accorded the highest conservation and work priority.

<i>Generic name</i>	<i>Common name</i>	<i>Swahili name</i>
Aves (Ndege)		
Order: Non-passeriformes		
Family: Diomedeidae		
<i>Diomedea cauta</i>	Shy albatross	n/a
Family: Sulidae		
<i>Sula bassana</i>	Cape Gannet	Mnandi
<i>Sula dactylatra</i>	Masked booby	n/a
Family: Fregatidae		
<i>Frigata minor</i>	Greater frigate bird	n/a
<i>Frigata Grief</i>	Lesser figate bird	n/a
Family: Ardeidae		
<i>Ardeola idae</i>	Madasgcar squacco heron	Korongo
<i>Ixobrychus minutus</i>	Little bittern	Robo, Ngojamaiiko
<i>Nycticorax leuconotus</i>	White-backed night heron	Fundamaji
Family: Phoenicopteridae		
<i>Phoenicopterus ruber</i>	Greater flamingo	Heroe, Herowe
Family: Anatidae		
<i>Nettapus auritus</i>	Pigmy goose	Kotwe-ndaambwe
<i>Thalassornis leuconotus</i>	White-backed duck	Kotwe, Salile
Family: Pandionidae		
<i>Pandion haliaetus</i>	Osprey	Koho? Furukombe?
Family: Falconidae		
<i>Falco amurensis</i>	Eastern red-footed falcon	n/a
<i>Falco dickinsoni</i>	Dickinson's kestrel	Kipanga-kidogo/jichwa
<i>Falco peregrinus</i>	Peregrine	n/a
<i>Falco subbuteo</i>	Hobby	n/a

Family: **Phasianidae**

Coturnix chinensis Blue quail Kiunzi, Kituitui, Tombo

Generic name *Common name* *Swahili name*

Aves (Ndege) cont..

Family: **Rallidae**

Porphyro alieni Allen's gallinule Kihaji

Porphyrio porphyrio
madagascarensis Purple gallinule n/a

Porzana porzana Spotted crane n/a

Sarothrura elegans elegans Buff-spotted crane Mwendanguo

Sarothrura rufa Red chested crane n/a

Porzana marginalis Striped crane n/a

Family: **Dromadidae**

Dromas ardeola Crab plover Ndoero

Family: **Haematopidae**

Haematopus ostralegus Oyster catcher Kipanga-majoma,
longipes Ninga-wa-bahari

Family: **Glareolidae**

Cursorius chalcopterus Violet-tipped courser n/a

Family: **Charadriidae**

Charadrius marginatus White-fronted sand plover n/a

Family: **Scolopacidae**

Calidris canutus Red knot n/a

Gallinago media Great snipe n/a

Numensis arquata orientalis Curlew Sumni, Kioga, Sululu

Family: **Phalaropidae**

Phalaropus spp. Phalaropes n/a

Family: **Stercorariidae**

Stercorarius pomanius Pomarine skua n/a

Stercorarius parasiticus Arctic skua n/a

Family: **Laridae: Larinae**

Larus cirrhocephalus Grey-headed gull n/a

Family: **Laridae: Steminae**

Sterna bengalensis bengalensis Lesser crested tern n/a

Family: Columbidae		
<i>Treron australis</i>	Green pigeon	Ninga
<i>Treron australis pembaensis</i>	Pemba green pigeon	Ninga
<i>Turtur afer</i>	Blue-spotted wood dove	Pugi, Kipwi, Pugi-unga Pugi-wanda
<i>Generic name</i>	<i>Common name</i>	<i>Swahili name</i>
Aves (Ndege) cont..		
Family: Musophagidae		
<i>Tauraco fischeri</i>	Fischer's Tapraco	Jogoo Mwituu
Family: Cuculidae		
<i>Centrops toulou</i>	Black coucal	n/a
Family: Tytonidae		
<i>Tyto alba</i>	Barn owl	Babewatoto, Mchanasanda, Mkatasanda
Family: Strigidae		
<i>Otus pembasis</i>	Pemba scops owl	Kidunda, Kihodi
Family: Capitonidae		
<i>Poganiutus simplex</i>	Eastern green tinker bird	n/a
Order: Passeriformes		
Family: Estritididae		
<i>Lonchura oryziabara</i>	Java sparrow	Zawarde, Zwardi Zawaridi, Zuwarde
Family: Hirundinidae		
<i>Phedina borbonica</i>	Mascarene martin	n/a
Family: Muscicapidae: Timaliinae		
<i>Malacocincla rufipennis</i>	Pale-breasted illadopsis	n/a
Family: Turidae		
<i>Sheppardia gunningi</i>	East-coast akalat	n/a
Family: Sylviidae		
<i>Phylloscopus sibilatrix</i>	Wood warbler	n/a
Family: Nectariniidae		
<i>Nectarinia pembae</i>	Pemba violet-breasted sunbird	Manja, Kijanikibichi
<i>Nectarinia veroxi</i>	Mouse-coloured sunbird	Manja, Nyuni, Shigi-manjano

Family: **Zosteropidae**

Zosterops vaughani Pemba white-eye n/a

Family: **Estrildidae**

Mandingoa nitidula Green-backed twin-spot n/a

Lonchura fringilloides Pied mannikin n/a

Pytilia afra Orange-winged pytilia n/a

Generic name

Common name

Swahili name

Mammalia (Wanyama)

Order: **Sirenia**

Dugong dugong Dugong Nguva

Order: **Cetaceae**

All cetaceans in coastal waters All whales, dolphins and porpoises in coastal territorial waters Nyangumi/Pomboo

Order: **Insectivora**

Crocidura fuscommurina sibara Zanzibar pygmy shrew Chindi, Panya-nunga

Order: **Macroscelidea**

Petrodromus tetradactylus zanzibaricus Zanzibar four toothed elephant shrew Kindo, Ngombo, Kirukanjia

Order: **Megachirpotera**

Pteropus voeltkowi Pemba flying fox Popowa-Pemba, Popo-nyama

Order: **Primata**

Procolobus kirkii Zanzibar red colobus Kima-punju/mweupe

Order: **Carnivora: Felidae**

Panthera pardus adersi Zanzibar leopard Chui

Order: **Hyracoidea**

Dendrohyrax validus neumanni Zanzibar tree hyrax Pelele, Perepe, Pimbi

Order: **Artiodactyla: Bovidae**

Cephalophus adersi Ader's duiker Paa-nunga

Cephalophus monticola pembae Pemba blue duiker Paa-chesi

<i>Generic name</i>	<i>Common name</i>	<i>Swahili name</i>
Amphibia (Jamii ya Vyura)		
Order: Anura		
<i>Phrynobatrachus pakenhami</i>	Snoring puddle frog	
<hr/>		
<i>Generic name</i>	<i>Common name</i>	<i>Swahili name</i>
Reptilia (Jamii ya wanaotambaa)		
<hr/>		
Order Dermochelyidae		
<i>Dermochelys coriacea</i>	Leathery turtle	Kasa-
Reptia (Jamii ya wanaotambaa)		
<hr/>		
Order: Cheloniidae		
<i>Chelonia mydas</i>	Green turtle	Kasa-
<i>Lepidochelys olivacea</i>	Olive ridley turtle	Kasa-
<i>Eretmochelys imbricata</i>	Hawksbill turtle	Kasa-
<i>Carreta carreta</i>	Loggerhead turtle	Kasa-
Order: Testudinata		
<i>Geochelone gigantea</i>	Giant tortoise	Kobe
Order: Pelomedusidae		
<i>Pelusios castaneus castanoides</i>	Brown terrapin	n/a
Order: Squamata:Sauria		Mijusi
<i>Mijusi Ebenavia spp.</i>	(An unknown gecko not found elsewhere in E.Africa)	
<i>Lygodactylus capensis pakenhami</i>	Pemba Island dwarf gecko	n/a
<i>Lygodactylus luteopicturatus zanzibaritis</i>	Yellow headed dwarf gecko	n/a
<i>Phelsuma abbotti parkeri</i>	Parker's palm gecko	n/a
<i>All Chamelia spp.</i>	All chameleons	n/a
<i>Mabuya maculilabris a/botaeniata</i>	Pemba speckle-lipped skink	n/a
<i>Riopa pembana</i>	Pemba island writhing skink	n/a
<hr/>		
Insecta (Wadudu)		
<hr/>		
Order: Lepidoptera		
Family: Papilionidae		
<i>Graphium pelopidas</i>		n/a
<i>Graphium colonna</i>		n/a
<i>Graphium policeses</i>		n/a
<i>Graphium antheus</i>		n/a

<i>Generic name</i>	<i>Common name</i>	<i>Swahili name</i>
Insecta (Wadudu) cont...		
Family: Pieridae		
<i>Colotus eunoma flotowi</i>		<i>n/a</i>
Family: Riponidae		
<i>Abisara zanzibarica</i>		<i>n/a</i>
Family: Nymphalidae		
<i>Charaxes pollux piersoni</i>		<i>n/a</i>
Family: Acraediae		
<i>Acraediae egina nr pembanus</i>		<i>n/a</i>
Family: Lycaenidae		
<i>Delaneura (sp. nov)</i>		<i>n/a</i>
<i>Anthene rubimacula (sp. nov)</i>		<i>n/a</i>
<i>Spindasis apelles</i>		<i>n/a</i>
<i>Epamera silanus</i>		<i>n/a</i>
<i>Epamera diametrea</i>		<i>n/a</i>

APPENDIX 2:

Those species which are protected year round and which are to be accorded the second highest allocation of protection and law enforcement efforts.

<i>Generic name</i>	<i>Common name</i>	<i>Swahili name</i>
Aves (Ndege)		
Order: Non-passeriformes		
Family: Podicipedidae		
Podiceps ruficollis	Little grebe	Kiziwi, Kijimbi-uziwa
Family: Phalacrocoracidae		
Palacrocorax africanus	Long-tailed comorant	Mnandi
Family: Ardeidae		
Ardea cinerea	Grey heron	Koongo-kisiwa
Ardea melanocephala	Black-headed heron	Korongo-majoka, Koongo
Ardea purpurea	Purple heron	Pondagundi
Ardeola ibis	Cattle egret	Korongo, daktari-ngombe
Ardeola ralloides	Squacco heron	Korongo, Hokohoko, ngombe-hadiya
Butorides striatus	Green-backed heron	Kingo-jemaliko, Uharo, Kotwe
Egretta alba	Great white egret	Korongo-mweupe
Egretta ardesiaca	Black heron	Kulastara, jegabanela
Egretta garzetta	Little egret	Koongo-wa-pwani, yange-yange
Nycticorax nycticorax nycticorax	Night heron	n/a
Mesophyx intermedia brachyrhyncha	Yellow billed egret	n/a
Family: Ciconiidae		
Anastomus lamelligerus	Open-billed stork	n/a
Ciconia episcopus	Woolly-necked stork	Kwembe-maji
Family: Threskiornthidae		
Bostrychia hagedash	Hadada ibis	Kwarara
Platalea alba	African spoonbill	n/a
Threskiornis aethiopica	Sacred ibis	Kwarara-mweupe
Family: Anatidae		
Anas erythrorhynchos	Red-bill	n/a
Dendrocygna viduata	White-faced whistling duck	n/a
Anas hoftentota	Hottentot teal	n/a

<i>Generic name</i>	<i>Common name</i>	<i>Swahili name</i>
Aves (Ndege)		
Family: Accipitridae		
<i>Accipter melanoleucus</i>	Great sparrow-hawk	Mwewe, Kozi
<i>Circus pygargus</i>	Montagu's harrier	n/a
<i>Circus aeruginosus aeruginosus</i>	Eurasian marsh harrier	n/a
<i>Elanus caeruleus</i>	Black-shouldered kite	n/a
<i>Gypohierax angolensis</i>	Palm-nut vulture	Koho, Korho, Kohoh, Batamchikichi
<i>Haltiaetus vocifer</i>	Fish eagle	Mwanakombe, Fukome, Fukombe
<i>Milvus migrans</i>	Yellow-billed kite	Mwewe, Kipanga, Kengewwa
<i>Polyboroides radiatus</i>	Harrier hawk	Shakivale, Kobeamiti, Hajivale
Family: Falconidae		
<i>Falco naumamni</i>	Lesser kestrel	n/a
<i>Falco tinnunculus</i>	Common kestrel	n/a
<i>Falco cuvieri</i>	African hobby	n/a
<i>Falco eleonarae</i>	Eleonora's falcon	n/a
Family: Phasianidae		
<i>Coturnix delegorguei</i>	Harlequin quail	Tombo, Tomboro
<i>Culttera pucherani</i>	Kenya crested guinea-fowl	Pelele
<i>Numida melagris</i>	Helmeted guinea-fowl	Kanga
Family: Turnicidae		
<i>Turnix sylvatica lepurana</i>	Button-quail	Kiunzi, Kituitui, Tomboro
Family: Balearicidae		
<i>Balearica regulorum</i>	Grey crowned crane	n/a
Family: Rallidae		
<i>Gallinula chloropus meridionalis</i>	African moorhen	Kuku-ziwa, Bata-ziwa
<i>Limnocorax flavirostra</i>	Black crane	Kuku-ziwa
Family: Jacanidae		
<i>Actophilornis africana</i>	African jacana	Cheunge, Sheunye Silimaua-ngondi
Family: Rostratulidae		
<i>Rostratula benghalensis benghalensis</i>	Painted snipe	n/a

<i>Generic name</i>	<i>Common name</i>	<i>Swahili name</i>
Aves (Ndege)		
Family: Burhinidae		
<i>Burhinus vermiculatus</i>	<i>vermiculatus</i> Water dikkop	Chekea-mwezi, Chekeukwa
Family: Charadriidae		
<i>Charadrius hiaticula</i>	Ringed plover	n/a
<i>Charadrius leschenaulti</i>	Great sand-plover	n/a
<i>Charadrius mongolus</i>	Mongolian sand-plover	n/a
<i>Charadrius dubius</i>	Little-ringed plover	n/a
<i>Pluvialis squatarola</i>	Grey plover	n/a
<i>Vanellus lugubris</i>	Senegal plover	n/a
<i>Pluvialis fulva</i>	Lesser (pacific) golden plover	n/a
Family: Scolopacidae		
<i>Arenaria interpres inter pres</i>	Ruddy turnstone	n/a
<i>Calidris alba</i>	Sanderling	n/a
<i>Calidris ferruginea</i>	Curlew sandpiper	Mtoto-wa-sururu
<i>Calidris minuta</i>	Little stint	n/a
<i>Limosa lapponica</i>	Bar-tailed godwit	n/a
<i>Numenius phaeopus</i>	Whimbrel	Membe, Sumru, Kioga
<i>Tringa glareola</i>	Wood sandpiper	Kitwitwi
<i>Tringa hypoleucos</i>	Common sandpiper	Kipwita
<i>Tringa nebularia</i>	Greenshank	Kitwitwi
<i>Tringa ochropus</i>	Green sandpiper	Kitwitwi
<i>Tringa terek</i>	Terek sandpiper	Kitwitwi
<i>Tringa stagnatilis</i>	Marsh sandpiper	n/a
<i>hilomachus pugnax</i>	Ruff	n/a
Family: Laridae: Larinae		
<i>Larusjuscus</i>	Lesser black-backed gull	n/a
<i>Larus argentatus</i>	Herring gull	n/a
<i>Larus ridibundus</i>	Black-headed gull	n/a
<i>Larus hemprichi</i>	Sooty gull	Shakwe, Shake Buabua
Family: Laridae: Sterninae		
<i>Anous stolidus pileatus</i>	Black/common noddy	n/a
<i>Sterna anaethetus anarctica</i>	Bridled tern	n/a
<i>Sterna bergii</i>	Greater-crested tern	n/a
<i>Sterna dougallii</i>	Roseate tern	n/a
<i>Sterna fuscata</i>	Sooty tern	n/a
<i>Sterna hirundo</i>	Common tern	n/a

<i>Generic name</i>	<i>Common name</i>	<i>Swahili name</i>
Aves (Ndege)		
<i>Sterna nilotica</i>	Gull-billed tern	n/a
<i>Sterna albifrons saundersi</i>	Little/Saunder's tern	n/a
<i>Chlidonias leucopterus hybridus</i>	White-winged black	n/a
Family: Columbidae		
<i>Columba delegorguei sharpei</i>	Bronze-naped pigeon	n/a
<i>Gena capensis</i>	Namaqua dove	n/a
<i>Streptopelia capicola</i>	Ring-necked dove	n/a
<i>Streptopelia semitorquata</i>	Red-eyed dove	n/a
<i>Trutur chalacospilos</i>	Emerald-spotted wood dove	Pugi-karafuu, Pugi-sanaa
<i>Turtur tympanistria</i>	Tambourine dove	Pugi-kikombe
Family: Psittacidae		
<i>Poicephalus cryptoxanthes</i>	Brown-headed parrot	Kwau, Kwenzi, Kunzi
Family: Cuculidae		
<i>Centropus superciliosus</i>	White-browed coucal	Dudumizi, fufu, tipitipi
<i>Ceuthmochares aereus</i>	Yellow bill	Komba-manyoya
<i>Chrysococcyx capri us</i>	Didric cuckoo	Mtama-wabibi?
<i>Clamator jacobinus</i>	Black-and-white cuckoo	n/a
<i>Cuculus canorus</i>	Eurasian cuckoo	n/a
Family: Strigidae		
<i>Ciccaba woodfordii</i>	African wood-owl	Bundi
Family: Caprimulgidae		
<i>Caprimulgus fossii welwitschii</i>	Gabon night jar	Pwepweu, Kipasuasauela
<i>Caprimulgus europeus</i>	Eurasian nightjar	Pwepweu, Kipasuasauela
Family: Apodidae		
<i>Apus affinis affinis</i>	Little swift	Mbiliwili
<i>Apus caffaer</i>	White-romped swift	Mbiliwili
<i>Apus apus</i>	Eurasian swift	n/a
<i>Cypsiurus parvus</i>	Palm swift	Mbiliwili, Kijumbamshare
<i>Telecanthura ussheri</i>	Mottle-throated spinetail	n/a
Family: Trogonidae		
<i>Apalpderma narina</i>	Narina's trogon	n/a
Family: Alcedinidae		
<i>Alcedo cristaa galleria</i>	Malachite kingfisher	Kinyonyofuo

<i>Ceryle rudia rudia</i> Generic name	Pied kingfisher Common name	Vuachwe, Kalastara Swahili name
Aves (Ndege)		
<i>Ceyx picta</i>	Pigny kingfisher	Kichimba-udongo, Kinyunifue
<i>Halcyon chelicuti</i>	Striped kingfisher	n/a
<i>Halcyon leucocephala</i>	Grey-headed kingfisher	n/a
<i>Halcyon senegaloides</i>	Mangrove kingfisher	Kijimbi-msitu
Family: Meropidae		
<i>Merops apiaster</i>	Eurasian bee-eater	Keremkerem
<i>Merops superciliosus persicus</i>	Blue-cheeked bee-eater	Poroporo, Kijibwe-mgele?
<i>erop.s' superciliosus</i>		Mkilimu, Teremtere,
<i>superciliosus</i>	Madagascar bee-eater	Kidona
<i>Merops nubicus</i>	Carmine bee-eater	n/a
Family: Coraciidae		
<i>Coracias caudata</i>	Lilac-breasted roller	Jore
<i>Coracias garrulus garrulus</i>	European roller	n/a
<i>Eurystomus glaucurus</i>	Broad-billed roller	Chore, jore?
<i>suahelicus</i>		
Family: Upupidae		
<i>Upupa epops africana</i>	South African hoopoe	Huchihudi, Ndututu
Family: Phoeniculidae		
<i>Phoeniculus purpureus</i>	Green wood-hoopoe	n/a
Family: Bucerotidae		
<i>Tockus alboterminatus</i>	Crowned hombill	Kwembe, Kwembe-domo
Family: Capitonidae		
<i>Pogoniulus bilineatus</i>	Yellow-rumped tinker-bird	n/a
Family: Picidae		
<i>Campethera cailliautii</i>	Little-spotted woodpecker	n/a
<i>Dendropicus fuscescens</i>	Cardinal woodpecker	Kigongote
Order: Passeriformes		
Family: Hirondinidae		
<i>Hirundo abyssinica unitatis</i>	Striped swallow	Mbiliwili-bati, Kiseremata
<i>Hirundo rustica rustica</i>	Barn swallow	n/a

<i>Generic name</i>	<i>Common name</i>	<i>Swahili name</i>
Aves (Ndege)		
<i>Hirundo smithii smithii</i>	Wire-tailed swallow	Mbiliwili-bati, Mbayuwayu
<i>Riparia riparia</i>	African sand martin	n/a
Family: Motacillidae		
<i>Anhus cinnamomeus</i>	Grassland pipit	n/a
<i>Agnump vidua</i>	African pied wagtail	Kiluwiluwi, Kiluwimazi
<i>Motacilla flava</i>	Yellow wagtail	n/a
Family: Campephagidae		
<i>Campephaga flava</i>	Black cuckoo-shrike	n/a
Family: Pycnonotidae		
<i>Andropadus importunus</i>	Zanzibar green bulbul	n/a
<i>Andropadus virens</i>	Little greenbul	n/a
<i>Nicator gularis</i>	Eastern nicator	n/a
<i>Pycnonotus barbatus</i>	Common bulbul	Shore, Kore
Family: Laniidae		
<i>Dryoscopus cubla</i>	Black-backed puff-back	n/a
<i>Laniarius aethiopicus</i>	Tropical boubou	Nguo, Tiva
<i>Lanius collurio collurio</i>	Red-backed shrike	Kicheba
Family: Malaconotidae		
<i>Malaconotus sulfreopectus similis</i>	Sulphur-breasted bush shrike	Nguo-wa-kijani
Family: Muscicapidae: Turdinae		
<i>Cercotrichas quadrivirgata quadrivirgata</i>	Eastern bearded scrub robin	n/a
<i>Cossypha natalensis</i>	Red-capped robin-chat	n/a
<i>Monticola saxatilis</i>	Rock thrush	n/a
<i>Neocossyphus rufus</i>	Red-tailed ant-thrush	n/a
<i>Oenanthe isabellina</i>	Isabelline wheatear	n/a
<i>Oenanthe oenanthe</i>	Northern wheatear	n/a
<i>Oenanthe pileata</i>	Lapped wheatear	n/a
<i>Oenanthe pleschanka</i>	Pied wheatear	n/a
Family: Muscicapidae: Sylviinae		
<i>Acrocephalus arundinaceus</i>	Great reed warbler	n/a
<i>Acrocephalus baeticatus</i>		

<i>suahelicus</i>	African reed warbler	Shoro, Kotokoto
<i>Generic name</i>	<i>Common name</i>	<i>Swahili name</i>

Aves (Ndege)

<i>Acrocephalus gracilirostris</i>	Lesser swamp warbler	n/a
<i>Acrocephalus schoenobaenus</i>	Sedge warbler	n/a
<i>Apalis flavida</i>	Yellow chested apalis	n/a
<i>Camaroptera brachypura</i>	Grey-backed carmaroptera	n/a
<i>Cisticola juncidis</i>	Zitting cisticola	Chichita, Chekechea
<i>Sylvia borin</i>	Garden warbler	n/a
<i>Hippolais pallida elaeica</i>	Olivaceous warbler	n/a
<i>Phyloscopus trochilus</i>	Willow warbler	n/a

Family: **Muscicapidae: Muscicapinae**

<i>Muscicapa striata</i>	Spotted flycatcher	Vinja? Mcha-sharia?
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Family: **Muscicapidae: Platysteirinae**

<i>Batis soror</i>	Chin-spot puff-back flycatcher	n/a
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Family: **Muscicapidae: Monarchinae**

<i>Terpsiphone viridis</i>	Paradise flycatcher	n/a
<i>Trochocercus cyanomelas</i>	Crested flycatcher	n/a

Family: **Nectariniidae**

<i>Anthrepetes collaris</i>	Collared sunbird	n/a
<i>Nectarinia bifasciata</i>	Little purple-banded sunbird	n/a
<i>Nectarinia olivacea</i>	Olive sunbird	Chozi, Chigi-asali
<i>Nectarinia senegalensis</i>	Scarlet-chested sunbird	Chozi-gonda, Chozi-dume?

Family: **Zosteropidae**

<i>Zosteropidae mozambicus</i>	Yellow-fronted canary	n/a
<i>Amandava subflava</i>	Zebra waxbill	n/a
<i>Estrilda astrild</i>	Common waxbill	n/a
<i>Lonchura bicolor nigriceps</i>	Rufous-backed mannikin	n/a
<i>Lonchura cucullata</i>	Bronze mannikin	Utongo

Aves (Ndege) cont...

Family: **Ploceidae: Passerinae**

<i>Passer griseus</i>	Grey-headed sparrow	Kwaruru, Kwaru, Korobindo
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Family: **Ploceidae: Ploceinae**

<i>Vidua fischeri</i>	Straw-tailed whydah	n/a
<i>Amblyospiza albifrons</i>	Grosbeak weaver	Yombe-yombe, Mnana
<i>Anomalospiza imberbis</i>	Parasitic weaver	Chekechea, Kweche-mweusi

<i>Generic name</i>	<i>Common name</i>	<i>Swahili name</i>
Aves (Ndege)		
Family: Oriolidae		
<i>Oriolus auratus</i>	African golden oriole	Mramba-mweupe
<i>Oriolus oriolus oriolus</i>	Golden oriole	Mramba-mweupe
Family: Dicruridae		
<i>Dicrurus adsimilis</i>	Drongo	Mramba, Mbaramba?
Family: Corvidae		
<i>Corvus albus</i>	Pied crow	Kunguru mdogo, Baka-jeupe
Mammalia (Wanyama)		
Order: Insectivora		
<i>Crocidura flavensis nyansae</i>	African giant shrew	Kirukanjia
<i>Crocidura viaria suahelae</i>	Larger savannah shrew	Kirukanjia
<i>Suncus murinus</i>	House/Indian musk shrew	Panya-nyunga
Order: Macroscelidea		
<i>Rhynchocyon petersi adersi</i>	Black and rufous elephant shrew	n/a
Order: Megachiroptera		
<i>Eldon helvum helvum</i>	Straw-coloured fruit-bat	n/a
<i>Emophorus minor</i>	Little epauletted fruit-bat	n/a
<i>Emophorus wahlbergi wahlbergi</i>	Wahlberg's epauletted fruit-bat	n/a
<i>Rousettus aegyptiacus leachii</i>	Egyptian/long-haired rousette	n/a
Order: Microchiroptera		
<i>Coleura afra</i>	African sheath tailed bat	n/a
<i>Taphozous mauritanus</i>	Mauritian tomb bat	n/a
<i>Nyceteris grandis</i>	Large slit-faced bat	n/a
<i>Nyceteris hispida</i>	Hairy slit-faced bat	n/a
<i>Nyceteris macrotis luteola</i>	Dobson's slit-faced bat	n/a
<i>Cardioderma cor</i>	Heart-nosed big-eared bat	n/a
<i>Lavia frons? rex</i>	Yellow-winged bat	n/a
<i>Rhinolophus deckeni</i>	Decken's horseshoe bat	n/a

<i>Generic name</i>	<i>Common name</i>	<i>Swahili name</i>
Aves (Ndege)		
Order: Carnivora: Viverrida		
<i>Bdeogale crassicauda tenuis</i>	Zanzibar bushy tailed mongoose	Kitu, Nguchiro, Uhangе
<i>Herpestes sanguine us rufescens</i>	Zanzibar slender mongoose	Cheche?Rambwe?
Mammalia (Wanyama) cont...		
<i>Rhinolophus swinnyi</i>	Swinny's horseshoe bat	n/a
<i>Hipposideros caffey caffey</i>	Sundevall's African leaf-nosed bat	n/a
<i>Hipposideros commersoni marungensis</i>	Commerson's leaf-nosed bat	n/a
<i>Eptesicus capensis grandidieri</i>	Cape serotine	n/a
<i>Pipistrellus nanus nanus</i>	Banana pipistrelle	Popo-mgomba
<i>Scotophilus borbonicus viridis</i>	Brown bat	n/a
<i>Scotophilus nigrita</i>	Yellow house-bat	Popo-mgomba
<i>Tadarida (Mops) brachyptera</i>	Mozambique free-tailed bat	n/a
<i>Tadarida (Chaerephon) pumila</i>	Little free-tailed bat	n/a
Order: Primata		
<i>Galago senegalensis zanzibaricus</i>	Lesser bushbaby	Komba mdogo
<i>Otolemur garnettii garnettii</i>	Greater galago	Komba
Order: Carnivora: Viverridae		
<i>Viverra civetta schwarzi</i>	African civet	Fungo, Ngawa
Order: Rodentia		
<i>Heliosciurus rufobrachium dolosus</i>	Red-legged sun-squirrel	Kindi
<i>Paraxerus palliatus frerei</i>	Red bush squirrel	Kidiri

Amphibia (Jamii ya vyura)Order: **Anura**

<i>Xenopus muelleri</i>	Tropical Platanna	n/a
<i>Bufo gutturalis</i>	Power guttural toad	n/a
<i>Mertensophryne micranotis</i>	East African pygmy toad	n/a
<i>Chiromantis xerampelina</i>	Great grey foam-nest tree-frog	n/a
<i>Afrixalus brachycnemis</i>	Golden leaf-folding tree frog	
<i>Afrixalus fornasini</i>	Greater leaf-folding frog	n/a
<i>Afrixalus pygmaeus</i>		n/a
<i>Hyperolius argus</i>	Argus sedge frog	n/a
<i>Hyperolius marginatus mariae</i>		n/a
<i>Hyperolius mitchelli</i>		n/a
<i>Hyperolius parkeri</i>		n/a
<i>Kassina maculata</i>	Red-legged pan frog	n/a
<i>Leptopelis flavomaculatus</i>	Johnstone's tree frog	n/a
<i>Hemisus marmoratus</i>		
<i>marmoratus</i>	Mottled shovel-nosed frog	n/a
<i>Hylarana galamensis bravana</i>	Golden-backed frog	n/a
<i>Phrynobatrachus acridoides</i>	East African puddle frog	n/a
<i>Phrynobatrachus minutus</i>		n/a
<i>Ptychadena spp</i>		n/a
<i>Ptychadena anchietae</i>	Savannah ridged frog	n/a
<i>Ptychadena mascareniensis</i>	Common mascarene	n/a
<i>Phrynomerus bifasciatus</i>	Banded rubber frog	n/a

Reptilia (Jamii ya wanaotambaa) cont...Order: **Squamata:Sauria**

<i>Hemidactylus brookii angulatus</i>	Brook's gecko	n/a
<i>Hemidactylus mabouia</i>	Common house gecko	Mjusi-kafiri
<i>Hemidactylus platycephalus</i>	Baobab gecko	n/a
<i>Phelsuma dubia dubia</i>	Palm gecko	n/a
<i>Cryptob/epharus boutonii africanus</i>	Coral-rag snake-eyed skink	n/a
<i>Mabuya maculilabris</i>	Speckle-lipped skink	Karakaka
<i>Mabuya striata</i>	Common two-stripped skink	Mjusi-islam, Karakaka
<i>Riopa sundevalii sundevallii</i>	Sundevall's writhing skink	n/a
<i>Gerrhosaurus major major</i>	Zanzibar great plated lizard	n/a
<i>Varanus niloticus niloticus</i>	Nile monitor	Kenge

Insecta (Wadudu)

Order: Lepidoptera	Butterflies and moths	Vipepeo
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Family: **Papilionidae**

<i>Papilio demodocus</i>	n/a
<i>Papilio nireus lyaeus</i>	n/a
<i>Papilio dardanus tibullis</i>	n/a
<i>Graphium pylades angolanus</i>	n/a

Family: **Pieridae Be/enois thysa**

<i>Be/enois creona severina</i>	n/a
<i>Appias lasti</i>	n/a

Insecta (Wadudu) cont...

<i>Colotis evippe flotowi</i>	n/a
<i>Mylothris chloris agathina</i>	n/a
<i>Eurema brigitta brigitta</i>	n/a
<i>Eurema desjardinisi regularis</i>	n/a
<i>Eurema hecabe solifera</i>	n/a

Family: **Nymphalidae**

<i>Charaxes castor flavifasciatus</i>	n/a
<i>Charaxes brutus natalensis</i>	n/a
<i>Charaxes cithaeron kennethi</i>	n/a
<i>Charaxes violetta melloni</i>	n/a
<i>Charaxes varanes vologeses</i>	n/a
<i>Charaxes candiope</i>	n/a
<i>Charaxes jahlusa kenyensis</i>	n/a
<i>Charaxes ethalion</i>	n/a
<i>Charaxes macclouni</i>	n/a
<i>Euxanthe wakefieldi</i>	n/a
<i>Hypolymanas dub ius wahlbergi</i>	n/a
<i>Hypolymanas deceptor</i>	n/a
<i>Hypolymanas misippus</i>	n/a
<i>Pseudacrea lucretia expansa</i>	n/a
<i>Junonia oenone oenone</i>	n/a
<i>Junonia terea elgiva</i>	n/a
<i>Junonia natalica</i>	n/a
<i>Precis actia</i>	n/a
<i>Byblia ilithya</i>	n/a
<i>Euretela dryope angulata</i>	n/a

<i>Neptidopsis fulgurata platyptera</i>	n/a
<i>Neptis penningtoni</i>	n/a
<i>Neptis saclava marpessa</i>	n/a
<i>Phalanta pharlanta aethiopica</i>	n/a
<i>Euphreda neophron littoralis</i>	n/a
<i>Eurephene cocalia orientis</i>	n/a

Family: **Acraedidae**

<i>Acraedidae zonata</i>	n/a
<i>Acraedidae aubyni</i>	n/a
<i>Acraedidae zetes acara</i>	n/a
<i>Acraedidae natalica</i>	n/a
<i>Acraedidae esebria</i>	n/a
<i>Acraedidae eponina</i>	n/a
<i>Accraedidae acrita</i>	n/a

Family: **Danaidae**

<i>Donaus chrysippus aegyptius</i>	n/a
<i>Acraedidae niavus dominicanus</i>	n/a
<i>Acraedidae ochlea ochlea</i>	n/a

Insecta (Wadudu) cont...

Family: **Satyridae**

<i>Melanitis leda helena</i>	n/a
<i>Henotesia perspicua</i>	n/a
<i>Bicyclus safitza</i>	n/a
<i>Bicyclus campina ocelligera</i>	n/a
<i>Ypthima granulosa</i>	n/a

Family: **Hesperiidae**

<i>Gomelia elma</i>	n/a
<i>Tagiadesflesus</i>	n/a
<i>Fresna spp.</i>	n/a
<i>Acleros mackenii</i>	n/a
<i>Andronymus caesar philandero</i>	n/a
<i>Borba barbonica</i>	n/a
<i>Gegenes pumilo</i>	n/a
<i>Spialia spio</i>	n/a

Family: **Lycaenidae**

<i>Pentila trocialis mombasae</i>	n/a
<i>Teriomina subpunctata</i>	n/a
<i>Spalgis lemolea</i>	n/a
<i>Virachola antalus</i>	n/a
<i>Virachola dariaves</i>	n/a
<i>Anthene amarah</i>	n/a
<i>Anthene kersteni</i>	n/a
<i>Lipaphnaenus aderna spindasoides</i>	n/a
<i>Axiocerses punicea</i>	n/a
<i>Euchrysops osiris</i>	n/a
<i>Cupidopsis cissus</i>	n/a
<i>Leptotes pirathous</i>	n/a
<i>Zizecra kysna</i>	n/a
<i>Lachnochema bibulus</i>	n/a
<i>Lachnochema durbanii</i>	n/a
<i>Agriolaus lalos</i>	n/a
<i>Epamera sidus</i>	n/a
<i>Myrina stlenus fidecula</i>	n/a
<i>Hypolycaena philippus</i>	n/a

APPENDIX 3:

Those species which are protected for only part of each year in order to allow their sustainable utilisation as regulated by specifically formulated species Utilisation Management Plan.

<i>Generic name</i>	<i>Common name</i>	<i>Swahili name</i>
Mammalia (Wanyama)		
Order: Artiodactyla: Bovidae		
<i>Cephalophus monticola</i>	Sundevall's blue duiker	
<i>sundevalli</i>		Paa-Chesi
<i>Neotragus moschatus</i>	Suni	
<i>moschatus</i>		Paa Mwekundu/ Kazi/Chongome
Aves (ndege)		
Family: Accipitridae		
<i>Accipiter tachiro pembaenis</i>	African Goshawk	Mwewe, Kozi, Kipanga
<i>Circus aeruginosus</i>	Marsh harrier	n/a
<i>Circus macrourus</i>	Pallid harrier	n/a
<i>Macheiramphus alcinus</i>	Bat-eating buzzard	n/a

APPENDIX 4:

Those species which are not protected, are accorded no conservation priority and which may be captured and/or killed

<i>Generic name</i>	<i>Common name</i>	<i>Swahili name</i>
Aves (Ndege)		
Order: Passiferomes		
<i>Passer domesticus</i>	House sparrow	n/a
Family: Conidae		
<i>Corvus splendens</i>	Indian house crow	Kunguro-wa-India/Balozi
Mammalia (wanyama)		
Order: Rodentia		
<i>Rattus novegicus</i>	Brown/common rat	Panya
<i>Rattus rattus</i>	Black/house rat	Panya-kocho
Order: Carnivora: Viverridae		
<i>Atilax paludinosus</i>	Kilimanjaro marsh mongoose	Chonjwe, Chonje, Nguchuo
<i>Mungos mungo</i>	Banded mongoose	Ngucheiro, Gitschiro, Cheche
<i>Viverricula indica rasse</i>	Rasse/Javan civet	Ngawa, fungo
Order: Artiodactyla: Suidae		
<i>Potamochoerus porcus</i>	Bush pig	Ngurowe, Nguuwe
<i>Sus scofa</i>	Wild boar	Nguruwe, Nguuwe
Order: Primata		
<i>Cercopithecus aethiops</i> <i>nesiotes</i>	Pemba vervet monkey	Tumbuli, Ngedere
<i>Cercopithecus mitis</i> <i>albobularis</i>	Sykes monkey	Kima-mweusi
<i>Cricetomys gambianus</i> <i>cosensi</i>	Zanzibar giant rat	Buku

Reptilia (Jamii ya wanaotambaa)

Order: **Squamata:Serpentes**

<i>Dispholidus typus</i>	Boomslang	Gangawia, Ukukwi, Peku
<i>Dendroapsis angusticeps</i>	Green mamba	Mtunguu, Shangauka, Nyoka-kima
<i>Naja melanoleuca</i>	Black-lipped cobra	Koboko
<i>Naja mossambica</i>	Mozambique spitting cobra	
<i>mossambica</i>	cobra	Nyoka
<i>Naja nigricollis nigricollis</i>	Spitting cobra	Koboko-mate, Swila, Fira

Order: **Squamata:Serpentes**

<i>Ramphotyphlops braminus</i>	Brahminy blind snake	n/a
<i>Rhinotyphlops lumbriciformis</i>	Wormlike blind snake	n/a
<i>Rhinotyphlops pallidus</i>	Pallid blind snake	n/a
<i>Python sebae</i>	Common African python	Chatu, Sawaka
<i>Atractaspis bibroni rostrata</i>	Bibron's burrowing adder	n/a
<i>Boaedon fluiginosus</i>	Common house snake	Chatu-kijivu
<i>Chamaetortus aulicus</i>	Cross barred-tree snake	Kifutu-ardhi
<i>aulicus</i>		
<i>Crotapholpeltis hotamboeia</i>	White-lipped/herald snake	Kakasu, Domojeupe-wa-yesu
<i>Dasyeltis medici medici</i>	East African egg-eater	Mla-mayai, Kahawia
<i>Lycophidion capense loveridgei</i>	Cape wolf snake	Meno-fisi
<i>Mehelya capensis capensis</i>	Southeastern cape file snake	n/a
<i>Mehelya nyassae</i>	Nyasa file snake	n/a
<i>Natriciteres olivacea</i>	Olive marsh snake	Nyoka- Mkubwa
<i>Philohamnus macrops</i>	Usambara green snake	n/a
<i>Philothamnus semivariiegatus</i>	Spotted wood/bush snake	Ukukwi, Nyoka-ukuti/kuti
<i>semivariiegatus</i>	snake	
<i>Psamophis sibilans sibilans</i>	Hissing sand snake	n/a
<i>Psamophis subtaeniatus</i>	Northern stripe-bellied sand snake	
<i>sudanensis</i>	sand snake	Miraba-mitatu, Mnu
<i>Causus deflippii</i>	Snouted night adder	Kipiri-pembe

Order: **Squamata:Serpentes**

<i>Leptotyphlops emini pembae</i>	Pemba white-chinned worm snake	Nyoka n/a
<i>Lycophidion capense pembanum</i>	Pemba wolf snake	Menofisi
<i>Natriciteres variegata pembana</i>	Dwarf/Pemba marsh snake	n/a

APPENDIX 5:

Endangered tree species to be conserved:

Jina la Kiswahili

Mgwede
Mvule
Mbambakofi
Mgomba mwitu
Mpapindi
Utupa
Mbirimbi
Mkarambola
Mdoriani
Msoo
Misufi
Mkunazi
Msikundazi
Msikundazi
Msikundazi
Mzingifuri
Migerenge
Msasa jike
Mpopoo
Mtomondo dume
Mtomondo mke
Mjoho
Msaji
Mharita
Mvumo
Mkurukuchu
Mistafeli
Mikuyu
Mng 'ongo
Mlangilangi
Alamanda
Mapungu ya Kima
Majani matano
Mdividivi
Mnyorore
Mkomwe
Mkweme
Mkunde kunde

Jina la Kibaolojia

Encephalartos hildebrandtii
Milicia excelsa
Azelia quanzensis
Ensente proscoidium
Crysalidpcarpus pembanus
Thephrosia virosa
Averhoa bilimbi
Averhoa carambola
Durio zibethinus
Scutia myritina
Ceiba species
Zyzyphus mauritania
Cassipourea gummijlua
Inhambanella henriquensii
Heritiera litoralis
Bixa orelana
Albizia species
Celtis drandii
Areca catechu
Samadera indica
Barringtonia racemosa
Bersama species
Tectonagrandis
Sapindus saponaria
Borassus aethiopicum
-
Annona species
Ficus species
Sclerocarya birrea
Cannanga odorata
Allamanda species
Terbenaemontana ventricosa
Tabebuia pentaphyla (T. rosea)
Caesalpinia coriaria
Caesalpinia pulcherima
Caesalpinia crista.
Telfairia spp
Cassia fistula

<i>Mkunde nyika</i>	<i>Senna petersiana</i>
<i>Mkakaya Mtiulaya</i>	<i>Delonix regia</i>
<i>Mitapo</i>	<i>Celtis species</i>
<i>Mdimu msitu</i>	<i>Suregada zanzibariensis</i>
<i>Mangosteni</i>	<i>Garcinia mangostana</i>
<i>Mshokishoki</i>	<i>Naphaleum lappaceum? Rambutan</i>
<i>Mdamu damu</i>	<i>Pterocarpus indica</i>
<i>Mpingo</i>	<i>Dalbergia melanoxylon</i>
<i>Mkarati</i>	<i>Bridelia micrantha</i>
<i>Mti wa shetani</i>	-
<i>Mkojo koyo</i>	<i>Spathodea companulata</i>
<i>Mtofaa</i>	<i>Eugenia species</i>
<i>Mzambarau</i>	<i>Eugenia jambolana (Syzygium cuminii)</i>
<i>Mkungu</i>	<i>Terminalia cattapa</i>
<i>Mkungu kivuli Mkungu wa kihindi</i>	<i>Terminalia ivorensis</i>
<i>Mi-erithrina</i>	<i>Erythrina species</i>
<i>Muwango</i>	<i>Rauvolfia mombasiana</i>
<i>Mwavi</i>	<i>Erythrophloeum suaveolens</i>
<i>Mtondo</i>	<i>Callophylum inophyllum</i>
<i>Jamii ya mikoko</i>	<i>Mangrove species</i>
<i>Msoda soda</i>	-
<i>Mmelina</i>	<i>Gmellina arborea</i>
<i>Mgrevilea Mkevilea</i>	<i>Grevillea robusta</i>
<i>Minimu/Miarobaini</i>	<i>Azadirachta indica,</i>
	<i>Melia azedarachi</i>
	<i>All Malia species</i>
<i>Mjoho/Mabolo</i>	<i>Diospyros discolor</i>
<i>Mkunde kunde</i>	<i>Cassia afrodistula (Spirostachys africana)</i>
<i>Mdimu msitu</i>	<i>Suregada zanzibariensis</i>
<i>Muhaidini</i>	
<i>Macho ya tipitipi</i>	<i>Abrus precatorius</i>
<i>Mhanuni/mhina</i>	<i>Lawsonia inermis</i>
<i>Mkilua</i>	<i>Uvaria spp</i>
<i>Muwalelmwale</i>	<i>Raphia spp</i>
<i>Mangosteni</i>	<i>Garcinia mangostana</i>
<i>Mcheji/mchesi</i>	<i>Polysphaeria multiflora</i>
<i>Mgomba kofi</i>	<i>Typhonodorum lindleyanum</i>
<i>Mbamba kofi</i>	<i>Azalia quanzensis</i>
<i>Mti mafuta</i>	<i>Psychotria alba</i>
<i>Mti mafuta</i>	<i>Eucalyptus citriodora</i>
<i>Mkarafuu</i>	<i>Eugenia aromatica</i>
MTI/ MIMEA YOTE YA MATUNDA YANAYOLIWA	ALL ADIBLE FRUIT TREES/ PLANTS
MITI/MIMEA YOTE YA VIUNGO	ALL SPICETREES/PLANTS
MITI/MIMEA YOTE YA MAPAMBO	ALL ORNAMENTAL TREE

SCHEDULE 1

List of Existing Reserves Established Under the Forest Reserve Decree, Cap. 120

Forest Reserve	Location	Area (Ha)	Purposes
Ngezi	Pemba	1.456	Conservation
Jozani	Unguja	2.512	Conservation
Masingini	Unguja	566	Conservation/Production
Ras Kiuyu n. k	Pemba	2,170	Production
Chaani	Unguja	420	Production
Kibele	Unguja	900	Production
Dunga	Unguja	887	Production
Unguja Ukuu	Unguja	3,130	Conservation/Production
Jumla		12,041	

SCHEDULE 2

Fines Applied to offences

1. With respect to the offence described in section 89, an amount not less than 50,000/Tsh.
2. With respect to the offence described in section 90, an amount not less than 50,000/- Tsh.
3. With respect to the offence described in section 91, an amount not less than 50,000/Tsh.
4. With respect to the offence described in section 92(a), an amount not less than 50,000/- Tsh.
5. With respect to the offence described in section 92(b), an amount not less than 50,000/-
6. With respect to the offence described in section 92(b), an amount not less than 50,000/- Tsh.
7. With respect to the offence described in section 92(d), an amount not less than 50,000/- Tsh.

8. With respect to the offence described in section 92(e), an amount not less than 50,000/ Tsh.
9. With respect to the offence described in section 93, an amounts not less than 25,000/ Tsh.
10. With respect to the offence described in section 94(a), an amount not less than 50,000/- Tsh.
11. With respect to the offence described in section 94(b), an amount not less than 50,000/- Tsh.

**Table:
Orodha ya Misitu ya Hifadhi iliyoanzishwa**

Msitu wa	Mahala ulipo	Eneo (hekta)	Madhumuni
Hifadhi			
Ngezi	Pemba	1,456	Uhifadhi
Jozani	Unguja	2,512	Uhifadhi
Masingini	Unguja	566	Uhifadhi/Uzalishaji
Ras Kiuyu,	Pemba	2,170	Maziwa
Ng'ombe,			
Msitu mkuu		420	Uzalishaji
Chaani	Unguja	900	Uzalishaji
Kibele	Unguja	887	Uzalishaji
Dunga	Unguja	3,130	Uzalishaji
Unguja Ukuu	Unguja		Uhifadhi/Uzalishaji
Jumla		12,041	

PASSED in the House of Representatives on 18th day of December, 1996

**(KHAMIS JUMA CHANDE)
CLERK OF THE HOUSE OF REPRESENTATIVES**