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THE UNITED REPUBLIC OF TANZANIA

CHAPTER. 242

ENGLISH VERSION

THE DISASTER MANAGEMENT ACT

[PRINCIPAL LEGISLATION]

This Version of the Disaster Management Act, Chapter 242 as been translated into English Language and is published pursuant to section 84(4) of the Interpretation of Laws Act, Chapter 1.

Dodoma,
9th OCTOBER, 2023

ELIEZER MBUKI FELESHI,
Attorney General

THE DISASTER MANAGEMENT ACT

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CHAPTER 242

THE DISASTER MANAGEMENT ACT

An Act to provide for establishment of disaster management and coordination mechanism, measures for hazard prevention and mitigation, preparedness for response and recovery after disaster, establishment and management of the Disaster Management Fund and for related matters.

[30th September, 2022]
[GN. No. 658 of 2022]

Act No.
6 of 2022

PART I
PRELIMINARY PROVISIONS

- | | |
|----------------|--|
| Short title | 1. This Act may be cited as the Disaster Management Act. |
| Application | 2. This Act shall apply to Mainland Tanzania. |
| Interpretation | 3. In this Act, unless the context otherwise requires-
“one health” means an approach used to establish cooperation among sectors concerned with human and animal health and environment, in order to strengthen coordination and management in performance and planning common strategies which aim to prevent, prepare and deal with outbreak of diseases and plant and crop pests, including the effects of disasters that cross borders and can spread in a short time, anti-microbial resistance, food security and nutrition and non-communicable diseases;
“Division” means the Division responsible for disaster management and coordination within the Ministry;
“disaster area” means an area declared as a disaster area or affected by disaster under this Act; |

- “hazard” means a dangerous phenomenon, substance or condition resulting from natural forces or human activities that may cause disaster;
- “Platform” means the National Stakeholders Platform for Disaster Management established under this Act;
- “Permanent Secretary” means the Permanent Secretary of the Ministry responsible for disaster management;
- “Centre” means the Emergency Operations and Communication Centre established in accordance with section 5;
- “disaster response” means any measure taken immediately prior or following a disaster impact that is directed towards saving life, protecting property and the environment, reducing health effects, providing humanitarian services, enhancing public safety or dealing with the immediate damage and other effects caused by the disaster;
- “mitigation” means measures taken to minimise harmful consequences of disaster which may result from a hazardous event;
- “disaster recovery” means measures to help restore the livelihoods or re-build essential life systems destroyed by disaster by re-constructing or restoring the systems to a better quality in order to prevent or reduce future disaster risk;
- “disaster prevention” means measures taken to avoid new risks or minimise existing risks resulting from human activities or natural forces from causing a disaster;
- “disaster” means effects resulting from a hazard which includes disruption of the functioning of a community which causes death, injuries, psychological harm, loss or damage to property, technological systems and socio-economic services or environment, whereas the affected community has no capacity to cope with the impacts using its own resources without seeking for assistance from outside the community;
- “National Disaster Management Strategy” means a strategy that provides measures to be taken in hazard prevention and mitigation as well as

preparedness for response and recovery in the event of disaster;

“Act” means the Disaster Management Act;

“disaster management” includes measures taken in the hazard prevention and mitigation, preparedness, response and recovery in the event of disaster in accordance with policy, laws and guidelines;

“Minister” means the Minister responsible for disaster management; and

“Ministry” means the Ministry responsible for disaster management.

PART II DISASTER MANAGEMENT AND COORDINATION MECHANISM IN THE COUNTRY

Disaster
management
and
coordination

4.-(1) The Ministry shall be responsible for coordinating and managing disaster activities in the country.

(2) In the implementation of its obligations in accordance with the provisions of subsection (1), the Ministry through the Division, shall-

- (a) prepare, update and coordinate the implementation of policies, plans, laws, regulations, strategies and operational procedures on all activities related to disaster management in Mainland Tanzania;
- (b) coordinate and supervise the implementation of disaster management interventions in collaboration with ministries, sectors and technical committees responsible for disaster management at all levels;
- (c) coordinate and provide guidance on sectoral cooperation in the management of human and animal epidemic diseases, crop pests, anti-microbial resistance, food security and nutrition, aflatoxin, biosafety and biosecurity of dangerous pathogens and non-communicable diseases;
- (d) coordinate ministries, departments, agencies, regional secretariats, local government

- authorities and the private sector in the implementation of strategies, plans and guidelines for disaster management including one health;
- (e) coordinate cooperation with neighboring countries regarding the prevention, preparedness and response to trans boundary emergencies, including human and animal epidemics and crop pests;
 - (f) coordinate cooperation between Mainland Tanzania and Tanzania Zanzibar regarding the management of emergency issues and cross-border epidemic diseases;
 - (g) coordinate the preparation and supervise the implementation of disaster risk assessment guidelines in major development projects;
 - (h) manage the operation of the Emergency Operation and Communication Centre and link it with sectoral centres;
 - (i) set up an information and communication technology system that will connect disaster management stakeholders, monitor the status of hazards and disaster situations in order to take measures to prevent and respond timely to disasters;
 - (j) develop and establish a database of resources, stakeholders, critical infrastructure, types of hazards, humanitarian aid and statistics of disaster events for disaster management;
 - (k) encourage the use of communication and information technology in reducing the risks of hazards and disaster management;
 - (l) establish an early warning system covering all sectors and maintain close links with different organisations that provide warning services;
 - (m) promote and develop training, research, innovation, public awareness, simulation exercises, knowledge, behavioral change and the use of information and communication technology in disaster management;
 - (n) seek, mobilise and manage the use of

- resources for disaster management activities and set guidelines for allocation of humanitarian aid services;
- (o) receive information from any institution, department, authority, person or persons for disaster management activities;
 - (p) coordinate and manage early warnings based on the effects and update warning messages and measures to be taken on various hazards;
 - (q) collaborate with local government authorities to establish measures to protect citizens against disasters;
 - (r) ensure the availability of adequate equipment in collaboration with stakeholders and relevant sectors for disaster response and public awareness programs on preparedness for disaster response;
 - (s) coordinate and carry out research, evaluation and preparation of scientific models and maps by classifying the types of hazards, existing risks and probability of occurrence as well as identifying the capacity of disaster management;
 - (t) evaluate and monitor disaster response measures including humanitarian services for disaster victims and advise accordingly;
 - (u) coordinate and manage rapid and comprehensive damage and needs assessment for recovery from disaster impact;
 - (v) encourage the participation of volunteers, conduct training and the availability of equipment for disaster management activities, emergency services in large gatherings and humanitarian services; and
 - (w) perform any other functions relating to disaster risk mitigation and disaster management.
- (3) The Ministry may share information maintained under subsection (2)(j) with any person, department or institution as the Permanent Secretary deems appropriate.

Emergency
Operations and
Communication
Centre

5. There shall be an Emergency Operations and Communication Centre under the Division that shall be responsible for monitoring hazard status, receiving and analysing warning and emergency information for the purpose of disaster management and shall be linked with sectoral centres.

Powers of
Minister

6.-(1) For the purpose of carrying out his duties relating to disaster management, the Minister shall have powers to-

- (a) order evacuation of people from disaster areas or disaster-prone areas or order people to remain in safe places;
- (b) suspend or prohibit the sale of alcohol, beverages, weapons, explosives, or such other items deemed inappropriate in disaster areas;
- (c) order use of public institution resources as may be deemed necessary for use in emergency operations in accordance with the procedures to be specified in the regulations;
- (d) order any person, department or institution to furnish to him such information as may be deemed necessary for the coordination of disaster activities; and
- (e) facilitate availability of human resources, funds and equipment for disaster management activities.

(2) The Minister shall exercise the powers given to him under this Act to ensure compliance of his directives and may take action or direct action to be taken against any person who fails to comply with his directives.

(3) The Minister may, after giving reasonable notice of his intention to take measures specified under this section, direct an institution, department, authority, person or persons, to perform, within such time and in such manner as he shall specify, any duty specified under this Act or any other written law related to enforcement and compliance with the Act.

(4) Where an institution, department, authority or person fails to comply with the directives under this

section, the Ministry shall perform those duties or the Minister may cause those duties to be performed by another institution, department, authority or other person and all the expenses incurred shall be recoverable as a debt from the institution, department, authority or person obliged to perform such directives.

(5) The Minister may make regulations specifying the procedure for implementation of the provisions of subsection (4).

National
Steering
Committee for
Disaster
Management

7.-(1) There shall be a National Steering Committee for Disaster Management which shall be responsible for disaster management at the National level.

(2) The National Steering Committee for Disaster Management shall comprise the following members:

- (a) Minister responsible for disaster who shall be the Chairman of the Committee;
- (b) Attorney General;
- (c) Minister responsible for finance and planning;
- (d) Minister responsible for environment and climate change;
- (e) Minister responsible for defence;
- (f) Minister responsible for home affairs;
- (g) Minister responsible for health;
- (h) Minister responsible for agriculture and food security;
- (i) Minister responsible for information, communication and information technology;
- (j) Minister responsible for construction and transportation;
- (k) Minister responsible for community development;
- (l) Minister responsible for regional administration and local government; and
- (m) Minister responsible for water.

(3) The Permanent Secretary shall be the Secretary to the Committee.

(4) The National Steering Committee for Disaster Management may co-opt any person during its meetings as it may consider necessary, depending on the threat or impact of the disaster event.

Functions of
National
Steering
Committee for
Disaster
Management

8.-(1) The National Steering Committee for Disaster Management shall have the following functions-

- (a) to manage, issue directives and set priorities for disaster management activities and humanitarian services;
- (b) to approve the Disaster Management Plan and Service Continuity Plan during National Emergency;
- (c) to encourage and facilitate resource mobilisation in order to strengthen institutional capacity and facilities for disaster and emergency management at National level; and
- (d) to advise the authority on the declaration of a state of emergency at National level.

(2) The Minister responsible for disaster shall be the spokesperson of the Government during disaster events at National level.

National
Technical
Committee for
Disaster
Management

9.-(1) There shall be a National Technical Committee for Disaster Management.

(2) The National Technical Committee for Disaster Management shall comprise the following members:

- (a) Permanent Secretary of the Ministry responsible for disaster management who shall be the Chairperson;
- (b) Permanent Secretary of the Ministry responsible for defence and the national service;
- (c) Deputy Attorney General;
- (d) Permanent Secretary of the Ministry responsible for regional administration and local government authorities;
- (e) Permanent Secretary of the Ministry responsible for finance;
- (f) Permanent Secretary of the Ministry responsible for health;
- (g) Permanent Secretary of the Ministry responsible for information, communication and information technology;

- (h) Permanent Secretary of the Ministry responsible for environment and climate change;
- (i) Permanent Secretary of the Ministry responsible for agriculture and food security;
- (j) Permanent Secretary of the Ministry responsible for water;
- (k) Permanent Secretary of the Ministry responsible for home affairs;
- (l) Permanent Secretary of the Ministry responsible for construction and transportation;
- (m) Director General of the Tanzania Meteorological Authority;
- (n) Commissioner General of the Fire and Rescue Force; and
- (o) Chief Executive Officer of the Geological Survey of Tanzania.

(3) The Director of the Disaster Management Division shall be the Secretary to the Committee.

(4) The National Technical Committee for Disaster Management shall have the authority to co-opt any person during its meetings as it may consider necessary, depending on the threat or impact of the disaster event.

Functions of
National
Technical
Committee for
Disaster
Management

10.-(1) The National Technical Committee for Disaster Management shall have the following functions:

- (a) to advise the National Steering Committee for Disaster Management on measures to strengthen disaster management in the country;
- (b) to implement the directives of the National Steering Committee for Disaster Management;
- (c) to ensure disaster risks reduction interventions are integrated in policies, plans, strategies and development programs of the respective government institutions;
- (d) to provide assistance in disaster management resource mobilization, including strengthening institutional capacity and

- equipment for provision of humanitarian services;
- (e) to provide direction on the estimation of resources that shall be needed for the financial year in the National Disaster Management Fund;
- (f) to prepare a Disaster Management Plan and Service Continuity Plan during National Emergency; and
- (g) to encourage the preparation and implementation of National Disaster Management and Performance Strategies based on the innovation and use of information and communication technology.

(2) The National Technical Committee on Disaster Management may establish a sub-committee to ensure the effective implementation of the national disaster management and coordination activities.

National
Stakeholders
Platform for
Disaster
Management

11.-(1) There shall be a National Stakeholders Platform for Disaster Management which shall provide an opportunity for experts from within and outside the Government to meet and discuss issues relating to disaster management and advise the National Technical Committee for Disaster Management.

(2) The National Stakeholders Platform for Disaster Management shall comprise the following members:

- (a) Director of the Disaster Management Division who shall be the Chairperson;
- (b) Heads of Departments responsible for disaster management from-
 - (i) Ministry responsible for agriculture and food security;
 - (ii) Ministry responsible for home affairs;
 - (iii) Ministry responsible for finance;
 - (iv) Ministry responsible for local government;
 - (v) Ministry responsible for health;
 - (vi) Ministry responsible for social development and social welfare;

- (vii) Ministry responsible for environment and climate change;
- (viii) Ministry responsible for foreign affairs;
- (ix) Ministry responsible for industry;
- (x) Ministry responsible for natural resources;
- (xi) Ministry responsible for energy;
- (xii) Ministry responsible for minerals;
- (xiii) Ministry responsible for communication;
- (xiv) Ministry responsible for land;
- (xv) Ministry responsible for transportation;
- (xvi) Ministry responsible for water;
- (xvii) Ministry responsible for education; and
- (xviii) Ministry responsible for information and communication technology;
- (c) Heads of Departments dealing with disaster services from the following institutions:
 - (i) Tanzania Communications Regulatory Authority;
 - (ii) National Food Reserve Agency;
 - (iii) Tanzania Food and Nutrition Centre;
 - (iv) Tanzania Medicines and Medical Devices Authority;
 - (v) Tanzania Meteorological Authority;
 - (vi) Fire and Rescue Force;
 - (vii) Tanzania Shipping Agencies Corporation;
 - (viii) Geological Survey of Tanzania;
 - (ix) Tanzania Peoples' Defence Forces;
 - (x) Tanzania Police Force;
 - (xi) Tanzania Veterinary Laboratory Agency;
 - (xii) Government Chemist Laboratory Authority;
 - (xiii) Tanzania Insurance Regulatory Authority; and
 - (xiv) Tanzania Atomic Energy Commission;
- (d) two representatives from the United Nations organisations and international organisations;
- (e) a representative from the Office of the

- Attorney General;
- (f) two representatives from higher learning institutions;
 - (g) two representatives from research institutions;
 - (h) a representative from the civil society organisation;
 - (i) two representatives from organisations of persons with special needs;
 - (j) a representative from the Tanzania Red Cross Society;
 - (k) a representative from the Tanzania Scout Association;
 - (l) three representatives from faith-based organisations;
 - (m) a representative from the Media Council; and
 - (n) two representatives from the Parliamentary Standing Committees dealing with disaster management matters.

(3) The Assistant Director of the Disaster Management Division responsible for planning and research shall be the Secretary to the Platform.

(4) The Platform may co-opt any person during its meetings as it may consider necessary, depending on the threat or impact of the disaster event.

(5) The Platform shall be convened at least twice a year but it can be convened at any time if there is a matter that needs to be urgently discussed.

(6) The Platform may create sub-committees of experts whose members shall be appointed from among them to facilitate the implementation of its duties.

(7) The Platform may regulate its own proceedings.

Functions of
National
Stakeholders
Platform for
Disaster
Management

12. The National Stakeholders Platform for Disaster Management shall be responsible for advising the National Technical Committee for Disaster Management by performing the following functions:

- (a) to advise and implement disaster risk mitigation measures to be mainstreamed in policies, laws and national development

- plans to address the challenges of disasters with social, economic and environmental effects and collaborate in order to effectively achieve humanitarian services;
- (b) to advise and support the implementation of development goals and climatic changes related to disaster risk prevention and mitigation by providing ideas for a stable system based on sector and country priorities;
 - (c) to raise discussions based on research and practical experience as a catalyst for national discussion and reach consensus, as well as determine priorities for disaster management and preparing plans and guidelines for implementation and monitoring;
 - (d) to contribute and participate in the preparation of the annual disaster report and evaluation of implementation of strategies and plans for disaster risk mitigation in the country;
 - (e) to advocate for mobilisation of resources from donors, development banks and the United Nations organisations by explaining the importance of support and cooperation in disaster management and humanitarian assistance; and
 - (f) to support the availability of basic statistics for disaster management, including information on hazard risks for consideration in development plans and sectoral budgets.

Regional
Steering
Committee for
Disaster
Management
Cap. 61

13.-(1) The Regional Security Committee established under the National Security Council Act shall be the Regional Steering Committee for Disaster Management which shall have the authority to make decisions and issue directives on measures to be taken for disaster management at the Regional level.

(2) Notwithstanding subsection (1), members of Parliament for Special Seats in the relevant Region shall be members of the Regional Steering Committee for Disaster Management.

GN. No. 746 (contd.)

Functions of
Regional
Steering
Committee for
Disaster
Management

14.-(1) The Regional Steering Committee for Disaster Management shall be responsible for-

- (a) planning, coordinating and issuing directives on dealing with disaster matters in the Region;
- (b) managing the functions of the Regional Technical Committee for Disaster Management;
- (c) encouraging and facilitating resource mobilisation to strengthen institutional capacity and equipment for disaster and emergency management in the Region;
- (d) approving the disaster management plan and the Service Continuity Plan during emergency in the Region in accordance with the National disaster plans;
- (e) recommending to the relevant authority on measures for disaster risk mitigation; and
- (f) directing and setting priorities for disaster and emergency management in the Region.

(2) The Chairman of the Regional Steering Committee for Disaster Management shall be the spokesperson of the Government during disaster events at the Regional level.

Regional
Technical
Committee for
Disaster
Management

15.-(1) There shall be a Regional Technical Committee for Disaster Management which shall be responsible for coordinating the implementation of disaster management interventions within the councils in the respective Region.

(2) The Regional Technical Committee for Disaster Management shall comprise the following members:

- (a) Regional Administrative Secretary who shall be the Chairperson;
- (b) all Assistant Administrative Secretaries;
- (c) City Director, Municipal Director, Township Director and District Executive Director from all districts in the Region;
- (d) District Administrative Secretaries from all Districts in the Region;

- (e) Regional Operations Officer of the Tanzania Police Force;
- (f) Regional Fire and Rescue Operations Officer;
- (g) Regional Militia Advisor;
- (h) Head of the institution responsible for urban and rural roads in the Region;
- (i) Head of the institution responsible for regional and trunks roads in the Region;
- (j) Head of the institution responsible for water and sanitation services in the Region;
- (k) Head of the institution responsible for architectural and quality of buildings in the Region; and
- (l) Regional Coordinator of the Tanzania Red Cross Society.

(3) The Assistant Administrative Secretary responsible for coordination and planning shall be the Secretary to the Committee.

(4) The Committee may co-opt any person during its meetings as it may consider necessary, depending on the threat or impact of the disaster event.

Functions of
Regional
Technical
Committee for
Disaster
Management

16.-(1) The Regional Technical Committee for Disaster Management shall have function to-

- (a) advise the Regional Steering Committee for Disaster Management on disaster management and any other matters as may be directed by the Regional Commissioner;
- (b) monitor and coordinate disaster mitigation and management activities and emergency services among the sectoral institutions of the Government, local government, communities and other stakeholders involved in disasters;
- (c) mobilise resources for disaster management in the Region;
- (d) prepare the Regional Strategy for Disaster Mitigation and Disaster Preparedness and Response Plan;
- (e) integrate early warning systems in the region and facilitate the establishment of a disaster statistics and information system for the

Region;

- (f) provide direction on the estimation of resources that shall be needed for the financial year in the National Disaster Management Fund;
- (g) coordinate the submitted District's disaster management plans;
- (h) keep records of information and initial statistics of disaster events and preventive measures in the Region;
- (i) interpret disaster early warning information and recommend measures to be taken in the Region; and
- (j) specify, evaluate and prepare a profile of disasters in the Region.

(2) The Regional Technical Committee for Disaster Management may establish a sub-committee to ensure effective implementation of disaster management and coordination activities in the Region.

District Steering
Committee for
Disaster
Management
Cap. 61

17.-(1) The District Security Committee established under the National Security Council Act shall be the District Steering Committee for Disaster Management with the authority to make decisions and issue directives on measures to strengthen and address disaster matters in the District.

(2) Notwithstanding subsection (1), the Member of Parliament in the relevant district, the Mayor of the City and Municipal and the Chairman of the Township and District Council shall be members of the District Steering Committee for Disaster Management.

Functions of
District Steering
Committee for
Disaster
Management

18.-(1) The District Steering Committee for Disaster Management shall be responsible for-

- (a) planning, coordinating, and issuing directives on dealing with disaster matters in the relevant District;
- (b) managing the functions of the District Technical Committee for Disaster Management;
- (c) encouraging and facilitating resource

- mobilisation to strengthen institutional capacity and equipment for disaster and emergency management in the District;
- (d) directing and setting priorities for disaster and emergency management in the District;
- (e) approving the Disaster Management Plan and Service Continuity Plan during emergency in the District based on the National Disaster Plans; and
- (f) recommending to the Regional Steering Committee for Disaster Management measures to mitigate the effects of disasters.

(2) The Chairman of the District Steering Committee for Disaster Management shall be the spokesperson of the Government during disaster events at the district level.

City, Municipal,
Township and
District
Technical
Committee for
Disaster
Management

19.-(1) There shall be a City, Municipal, Township and District Technical Committee for Disaster Management which shall be responsible for advising the District Steering Committee for Disaster Management on the status of disaster in the respective areas and ensuring that the development plans prepared take into consideration disaster risks in the respective areas.

(2) The City, Municipal, Township and District Technical Committee for Disaster Management shall comprise the following members:

- (a) The Executive Director of the Council who shall be the Chairperson;
- (b) Heads of all Departments and Units in the Council;
- (c) District Fire and Rescue Operations Officer;
- (d) Officer Commanding, Criminal Investigation Department;
- (e) Head of the institution responsible for urban and rural roads in the district;
- (f) Head of the institution responsible for water and sanitation services in the District;
- (g) District Coordinator of Tanzanian Red Cross Society; and
- (h) District Scout Commissioner.

(3) The Head of the Department responsible for planning in the relevant Council shall be the Secretary to the Committee.

(4) The City, Municipal, Township and District Technical Committee for Disaster Management may co-opt any person during its meetings as it may consider necessary, depending on the threat or impact of the disaster event.

Functions of
City, Municipal,
Township and
District
Technical
Committee for
Disaster
Management

20.-(1) The City, Municipal, Township and District Technical Committee for Disaster Management shall be responsible for-

- (a) coordinating, managing and monitoring implementation of disaster management activities and emergency services in the respective area as may be directed by the District Steering Committee for Disaster Management;
- (b) assisting, mobilising and allocating resources for disaster management and emergency services in the respective area;
- (c) facilitating and monitoring the mainstreaming of hazard risk mitigation in the development plans, projects, programs and budgets in the respective area;
- (d) assisting and participating in the assessment of hazard risks, impacts of damage and humanitarian needs and recovery after disaster in the respective area;
- (e) preparing and implementing a strategy to mitigate the impacts of disasters and emergency preparedness and response plan, conducting training, table-top exercises and a recovery framework in the respective area;
- (f) providing direction of estimation of resources that shall be needed for the financial year in the National Disaster Management Fund;
- (g) preparing a technology and information communication system for early warning, operations and statistics for disaster

- management in the relevant area;
- (h) keeping records of information and initial statistics of disaster events and preparedness measures in the City, Municipal, Township and District;
- (i) interpreting early warning information against hazards and recommending measures to be taken in the City, Municipal, Township and District; and
- (j) identifying, evaluating and preparing a profile of hazards in the City, Municipal, Township and District.

(2) The City, Municipal, Township and District Technical Committee for Disaster Management may establish a sub-committee for ensuring effective implementation of disaster management and coordination activities in the District.

Powers of
Regional
Commissioner
and District
Commissioner

21. The Regional Commissioner or the District Commissioner, subject to the decision of the Regional or District Steering Committee for Disaster Management, shall have the powers to-

- (a) direct any institution in the region or district to prevent or mitigate the impacts of a hazard and prepare for response and recovery after disaster;
- (b) order people to evacuate from disaster prone or disaster-affected areas and relocate them to safe areas in the Region or District or remain in safe areas;
- (c) use public resources such as transport, any building, equipment, essential goods and other things to support disaster management efforts; and
- (d) do anything that is necessary for the implementation of his duties under this Act in accordance with policies, plans and procedures in the Region or District.

Ward
Committee for
Disaster

22.-(1) The Ward Development Committee established under the Local Government (District

GN. No. 746 (contd.)

Management
Cap. 287

Authorities) Act shall be the Ward Committee for Disaster Management which shall be responsible for ensuring the participation of all stakeholders in measures to prevent or mitigate the impacts of hazards as well as providing humanitarian services during emergency.

(2) Notwithstanding subsection (1), the special seats councilor in the ward, government officials seconded to the ward, a representative from the health center or dispensary in the ward, a representative from a police post in the ward and a representative from the Tanzanian Red Cross Society in the ward shall be members of the Ward Committee for Disaster Management.

Functions of
Ward
Committee for
Disaster
Management

23. The Ward Committee for Disaster Management shall be responsible for-

- (a) monitoring and coordinating disaster management and emergency operations at the ward level;
- (b) mobilising resources for disaster management in collaboration with stakeholders in the ward;
- (c) supporting the implementation of ward disaster management plans;
- (d) disseminating early warning information and directives on measures to be taken against the risk of disaster in ward;
- (e) identifying hazards that may occur and prepare a map of disaster-prone areas as well as taking measures to prevent and mitigate the impact of hazards by using resources available in the ward; and
- (f) preparing a strategy to mitigate impact of disasters and an emergency response plan for the ward.

Village
Committee for
Disaster
Management
Cap. 287

24.-(1) The Village Council established under the Local Government (District Authorities) Act shall be the Village Committee for Disaster Management which shall have the initial responsibility to ensure that the community is safe from hazards as well as involving the community in finding immediate solutions for humanitarian services for

disaster victims.

(2) Notwithstanding subsection (1), a representative from the village dispensary, a representative from a police post and a representative from the Tanzania Red Cross Society in the village shall be members of the Village Committee for Disaster Management.

Mtaa Committee
for Disaster
Management
Cap. 288

25.-(1) The Mtaa Committee established under the Local Government (Urban Authorities) Act shall be the Mtaa Committee for Disaster Management which shall have the initial responsibility to ensure that the community is safe from hazards as well as involving the community in finding immediate solutions for humanitarian services for disaster victims.

(2) Notwithstanding subsection (1), a representative from the mtaa dispensary, a representative from a police post and the representative of the Tanzania Red Cross Society in the mtaa shall be members of the Mtaa Committee for Disaster Management.

Functions of
Village or Mtaa
Committee for
Disaster
Management

26. The Village or Mtaa Committee for Disaster Management shall be responsible for-

- (a) monitoring and coordinating disaster management activities and emergency operations at the village or mtaa level;
- (b) disseminating early warning information and directives on measures to be taken against the risk of disaster in the Village or Mtaa;
- (c) mobilising resources for the management of disaster activities in the Village or Mtaa;
- (d) educating the community on measures to be taken to prevent and mitigate the impact of hazards as well as prepare and respond to hazards in the village or mtaa based on technical advice and local methods in the relevant area;
- (e) identifying hazards that may occur and prepare a map of disaster-prone areas as well as take measures to prevent and mitigate the impact of hazards by using resources available in the village or mtaa; and

- (f) preparing a Hazard Risk Mitigation Strategy and an Emergency Response Plan in a Village or Mtaa.

Submission of
disaster
management
reports

27.-(1) The Regional Technical Committee for Disaster Management, City, Municipal, Township and District Technical Committee for Disaster Management, Ward Committee for Disaster Management and Village or Mtaa Committee for Disaster Management established under this Act shall prepare and submit to the Ministry detailed reports on implementation of disaster management in their jurisdictions quarterly or as directed.

(2) The Minister may make regulations which shall specify the manner in which the Committees mentioned under this section shall prepare and submit reports on the implementation of disaster management.

Guidelines for
Disaster
Committees

28.-(1) The Minister may prepare guidelines for management of the Committees established under this Act.

(2) The guidelines prepared under this section shall prescribe for-

- (a) preparation and implementation of strategies, plans and operational procedures at various levels of the Committees;
- (b) means of communication and dissemination of information relating to disaster management;
- (c) preparation and dissemination of information regarding early warning and measures to be taken by the public and stakeholders;
- (d) conduct of the Committees' activities; and
- (e) any other matter as may be deemed necessary.

Committees
operating
procedures

29. The Committees established under this Act shall prepare operating procedures in the relevant jurisdictions.

PART III

NATIONAL DISASTER MANAGEMENT STRATEGY AND

OPERATIONS DURING DISASTERS

National
Disaster
Management
Strategy

30.-(1) The Ministry shall prepare, coordinate and implement the National Disaster Management Strategy.

(2) The National Disaster Management Strategy shall include measures to be taken before, during and after a disaster occurrence by identifying the tasks to be carried out in the sector based on legal obligations, sources or reasons for the occurrence of hazards and the impact of the disaster caused.

(3) The National Disaster Management Strategy shall facilitate mainstreaming of disaster risk prevention and mitigation into sectoral development plans and shall be applied by the ministries, departments, institutions, local government authorities and Committees established under this Act and various organisations in disaster management.

General
obligations

31.-(1) The Ministry shall prepare capacity building programs for the Committees established under this Act, government institutions and various sectoral institutions for provision of basic services and procedures to be considered in disaster management.

(2) Each ministry, department, Government institution, regional administration and local government authority shall have obligation to-

- (a) mainstream in their plans and budgets measures for prevention and mitigation of the impact of hazards and prepare for disaster response;
- (b) identify the risks of hazards that may occur in their areas and prepare disaster management strategies; and
- (c) collaborate with other sectors and various stakeholders in disaster management activities.

(3) Every person shall have an obligation to-

- (a) maintain peace and order during disasters;
- (b) comply with technical advice and directives from leaders regarding disaster management measures;

- (c) maintain the conduct which enables prevention and mitigation of impact of hazards and preparedness for response and recovery after disaster; and
- (d) exhibit readiness to participate in disaster management activities.

Declaration of
disaster area

32.-(1) Where the Minister is satisfied that the trend of a hazard is aggregating to a disaster, he shall, by notice published in the *Gazette*, declare that area to be a disaster area and shall direct the National Disaster Response Preparedness Plan to be implemented in that area for a period not exceeding three months or for such additional period as the Minister deems appropriate.

(2) Where the National Disaster Response Preparedness Plan is being implemented in the relevant area, each sector shall perform its role by using the available resources in collaboration with other stakeholders through the coordination of the Ministry.

Disaster
indicating state
of emergency

33.-(1) Where the emergency disaster indicates a state of emergency which requires extra-ordinary and urgent measures to be taken and the National Steering Committee for Disaster Management is satisfied that the state of the disaster warrants proclamation of a state of emergency, the Steering Committee shall, subject to the procedure stipulated under section 4 of the Emergency Powers Act, inform the President of the events necessitating the proclamation of a state of emergency for the relevant area or the whole of Mainland Tanzania.

Cap. 221

(2) The proclamation of a state of emergency shall stipulate immediate measures which may be taken including-

- (a) evacuation or exclusion of persons and their properties;
- (b) deployment of military support;
- (c) call for international support; or
- (d) any other measures as may be appropriate in the circumstances.

PART IV

NATIONAL DISASTER MANAGEMENT FUND

National
Disaster
Management
Fund

34.-(1) There shall be a National Disaster Management Fund.

(2) Sources of funds for the Fund shall be-

- (a) monies appropriated by Parliament of the United Republic for disaster management;
- (b) voluntary contributions from any person or institution;
- (c) any monies obtained by way of grants or loan from within and outside the United Republic;
- (d) any monies accrued from the sale of donated items; and
- (e) proceeds from fund raising.

(3) The Fund shall be administered by the Ministry and the Permanent Secretary shall be the accounting officer.

(4) The Fund shall provide money for-

- (a) prevention and mitigation of the impact of hazards;
- (b) preparedness for potential disaster;
- (c) response to disaster; and
- (d) recovery after disaster.

Management of
collections and
donations

35.-(1) The Ministry may make a special or general appeal to the public for experts, equipment or funds for the purpose of saving lives, property, preventing or mitigating damage or restoring livelihood of a disaster affected community.

(2) A person or institution which collects equipment or money shall be required to submit the same to the National, Regional, District, Ward, Village, Mtaa Committees or to the National leaders.

(3) For purposes of subsection (2), donations for a disaster affected community shall be delivered to the relevant community through the National, Regional, District, Ward, Village or Mtaa Committee or National leaders.

PART V
GENERAL PROVISIONS

Offences and
penalties

36.-(1) A person who-

- (a) delays or obstructs any officer from performing his functions under this Act;
- (b) refuses to cooperate with any officer as requested for the purpose of carrying out his functions under this Act;
- (c) intentionally gives false or misleading information in response to an inquiry made by an officer for the purpose of carrying out his functions under this Act,

commits an offence and on conviction shall be liable to a fine of not less than three hundred thousand shillings but not exceeding five million shillings or to imprisonment for a term of not less than one month but not exceeding one year.

(2) A person who collects donations or aid for a disaster affected community and does not deliver the same to the relevant disaster committee, commits an offence and on conviction shall be liable to a fine equal to twice the value of the money or items collected or imprisonment for a term of not less than one year but not exceeding five years or to both.

Offences by
body corporate

37. Where an offence has been committed under this Act by an institution or body corporate, any person who, at the time of commission of the offence was involved in the management of the institution or body corporate shall be deemed to have committed the offence, unless he proves before a court of law that he did not have knowledge and under reasonable circumstances he could not have known about the commission of the offence.

General penalty

38. Any person who contravenes the provisions of this Act to which no specific penalty is stipulated, commits an offence and on conviction shall be liable to a fine of not less than three hundred thousand shillings but not exceeding five million shillings or to imprisonment for a term of not less than one month but not exceeding one year or to both.

Protection from

39. Any person who, according to this Act or

Disaster Management Act

GN. No. 746 (contd.)

liability	regulations, is allowed to participate in the implementation of the provisions of this Act shall not be personally liable for anything done or omitted to be done in good faith in the execution of any disaster management activity.
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Regulations	40. The Minister shall make regulations with respect to any matter that is necessary for the purpose of giving effect to this Act.
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Repeal and savings Act No. 7 of 2015	41. -(1) The Disaster Management Act is hereby repealed.
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(2) Notwithstanding the repeal of the Disaster Management Act, any regulations, orders or Government notices made under the Disaster Management Act and which are in force immediately before coming into operation of this Act, shall remain in force as if made under this Act.
