

ARTICLES OF UNION

The main foundation of the Constitutions of the United Republic of Tanzania of 1977 and the Zanzibar Revolutionary Government of 1984 is the Articles of the Union of 1964. The Articles of the Union were signed on April 22, 1964 by the Founders of the Union, the late Mwalimu Julius Kambarage Nyerere and the late Sheikh Abeid Amani Karume. After the Union, Mwalimu Julius Kambarage Nyerere became the first President and late Sheikh Abeid Amani Karume became the First Vice-President of the United Republic of Tanzania. The late Rashid Mfaume Kawawa became the Second Vice President of Tanzania and leader of Government business in the National Assembly.



Mwalimu Julius Kambarage Nyerere and Sheikh Abeid Amani Karume during celebrations for marking the Union between Tanganyika and Zanzibar

The Acts of the Union were later incorporated in the interim Constitution of 1965 of the United Republic of Tanzania in which 11 matters were agreed to be part of the Union under the guidance of the Union Government. The 11 matters were:

1. The Constitution and Government of the United Republic
2. External Affairs
3. Defence
4. Police

5. Emergency powers
6. Citizenship
7. Immigration
8. External trade and borrowing
9. The public service of the United Republic
10. Income tax, corporation tax, customs and excise duties
11. Harbours, civil aviation, posts and telegraphs

The Interim Constitution of 1965 classified two governments, representation of Zanzibar in the Union National Assembly and the Revolutionary Government of Zanzibar authorities. This arrangement empowered the Union government to oversee union matters and non-union matters for Tanganyika. At the same time, the arrangement empowered the Zanzibar Revolutionary Government to oversee all non-union matters concerning Zanzibar.

With passage of time Union matters increased from 11 to 22 in response to internal demand, people's expectations and reforms taking place internally and internationally.

The 12th Union matter concerning currency (and bank notes) commercial banks and banking transactions, foreign currency and management of foreign currency was added to the list of union matters in the Interim Constitution in 1965 for the purpose of monetary union and to strengthen management of foreign currency and banks in the United Republic of Tanzania.

In addition, following the creation of the East African Community in 1967, three Union matters, including industrial licenses and statistics, higher education and civil aviation and air transport were added to the list.

In 1968, oil products, including crude oil and all types of petroleum products, and natural gas were also added to the list of Union matters.

A permanent Constitution was in place in 1977 and additional union matters were added to the list namely; Tanzania National Examinations Council and all matters related to the Council. This was done to harmonize matters concerning examinations on both sides of the Union.

Equally, following the collapse of the East African Community in 1977, all matters concerning Tanganyika and Zanzibar that were being overseen by the East African Community were handed over to the Union Government and measures were later taken to add them to matters under the Union Government.

In 1979, the Court of Appeal of the United Republic of Tanzania was added to the list of Union matters following the collapse of the East African Court of Appeal.

In 1992, following political reforms in the country, the question of registration of political parties and other matters pertaining to political parties was also added to the list of matters under the Union.

The procedure of adding Union matters to the list was done through the National Assembly of the United Republic of Tanzania based on the principles of the Constitution of the United Republic of Tanzania Section 98 (1) (b) that stipulates that making changes to the list of Union matters should be approved by two thirds of Members of Parliament from Tanzania Mainland and two thirds of Members of Parliament from Tanzania Zanzibar.

22 Areas of Union

The Constitution of the United Republic of Tanzania, 1977 specifies twenty two (22) areas as Union Matters. These are outlined in the first schedule of the Constitution of the United

Republic of Tanzania 1977. They include:-

1. The Constitution of the Tanzania and the Government of the United Republic;

2. Foreign affairs;
3. Defense and security;
4. Police;
5. Emergency Powers;
6. Citizenship;
7. Immigration;
8. External Borrowing and Trade;
9. Service in the Government of the United Republic;
10. Income tax payable by individuals and by corporations, customs duty and excise duty on goods manufactured in Tanzania collected by the customs Department;
11. Harbors, matters relating to air transport, posts and telecommunications;
12. All matters concerning coinage, currency for the purpose of legal tender (including notes), banks (including savings banks) and all banking business; foreign exchange and exchange control;
13. Industrial licensing and statistics;
14. Higher Education;
15. Mineral oil resources, including crude oil and natural gas;
16. The National Examinations council of Tanzania and all matters connected with the functions of that council;
17. Civil Aviation;
18. Research;
19. Meteorology;
20. Statistics;
21. The Court of Appeal of the United Republic; and
22. Registration of political parties and other matters related to political parties.

The Structure of Our Union

The structure of our Union has put in place various organs for executive functions, judiciary and law making. The Constitution of the United Republic of Tanzania of 1977 declares that Tanzania is one

sovereign state and is a United Republic, whose territory includes the entire land mass of Mainland Tanzania and Tanzania Zanzibar, and the water bodies surrounding it.

The Acts of the Union clearly stated that the United Republic will be one sovereign state.

Principles of statehood stipulated in the Union agreement include the fact that the United Republic shall represent the people and be the image of our nation before the International Communities.

The constitution of URT stipulates two Governments as follows;

(a) The RGoZ has exclusive jurisdiction over non union matters in Tanzania Zanzibar. These include issues such as health, land, environment and related issues;

(b) The URT has jurisdiction over non-Union matters within Tanzania Mainland. These include health, local government, agriculture, etc, and all Union issues that have been specified in the second schedule of the constitution of URT.