
NITED REPUBLIC OF TANZANIA

Supplement No. 19

17th May, 2024

SUBSIDIARY LEGISLATION

To The Gazette of the United Republic of Tanzania No.13 Vol. 105 Dated 17th May, 2024
Printed by The Government Printer, Dodoma by Order of Government

GOVERNMENT NOTICE No. 366 published on 17/5/2024

THE ENVIRONMENTAL MANAGEMENT ACT,
(CAP. 191)

REGULATIONS

(Made under sections 59 and 230(2)(m))
THE ENVIRONMENTAL MANAGEMENT (INTEGRATED COASTAL
ZONE MANAGEMENT) REGULATIONS, 2024

ARRANGEMENT OF REGULATIONS

Regulation *tittle*

PART I

PRELIMINARY PROVISIONS

1. Citation.
2. Application.
3. Interpretation.

PART II

OBJECTIVES

4. Objectives.

PART III

ADMINISTRATION AND INSTITUTIONAL ARRANGEMENTS

5. Functions of Minister.

6. Functions of Director of Environment.
7. Functions of Council.
8. Role of Sector Ministries.
9. Role of Regional Secretariat.
10. Role of Local Government.
11. Environmental Inspectors.

PART IV
MANAGEMENT OF COASTAL ZONE ENVIRONMENT
(a) Integrated Coastal Zone Management Plan

12. Integrated Coastal Zone Management Plan.
13. Content of Integrated Coastal Zone Management Plan.

(b) Regulation of Coastal Zone Resources

14. Regulation of coastal zone resources.
15. Management and protection of coastal zone environmental sensitive or protected area.
16. Prohibition of utilization of flora and fauna.
17. Easement in environmental sensitive or protected areas.
18. Investing in coastal zone.
19. Application for permit.
20. Environmental audit for ongoing activities.
21. Utilization of coastal resources.

PART V
GENERAL PROVISIONS

22. Offences and penalties.
23. Monitoring and Evaluation.
24. Transition period.
25. Appeals.

THE ENVIRONMENTAL MANAGEMENT ACT,
(CAP. 191)

REGULATIONS

(Made under sections 59 and 230(2)(m))
THE ENVIRONMENTAL MANAGEMENT (INTEGRATED COASTAL
ZONE MANAGEMENT) REGULATIONS, 2024

PART I
PRELIMINARY PROVISIONS

- | | |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Citation | 1. These Regulations shall be cited as the Environmental Management (Integrated Coastal Zone Management) Regulations, 2024. |
| Application | 2. These Regulations shall apply to coastal zone of Mainland Tanzania. |
| Interpretation | 3. In these Regulations unless the context requires otherwise-
“Council” shall have the meaning ascribed to it under the Act;
“environmental protected area” means any area of coastal zone declared by the Minister under section 47 of the Act to be environmental protected area;
“environmental sensitive area” means any area of coastal zone declared by the Minister under section 51 of the Act to be environmental sensitive area;
“Director of Environment” shall have the meaning ascribed to it under the Act;
“Director General” shall have the meaning ascribed to it under the Act;
“coastal resources” means all biotic and abiotic resources which have environmental and socio-economic value forming the integrated terrestrial and marine ecosystems and their goods and services; |
| Cap. 191 | “Act” means the Environmental Management Act; |

“coastal zone” means the area from the baseline of territorial waters, landward side to sixty metre of the shoreline of the coast of Mainland Tanzania;

“coastal management” includes-

- (a) the regulation, management, protection, conservation and rehabilitation of the coastal environment;
- (b) the regulation and management of the use and development of the coastal zone and coastal resources; and
- (c) monitoring and enforcing compliance with laws and policies that regulate human activities within the coastal zone;

“Integrated Coastal Zone Management” means sustainable environmental management of coastal zone which include dynamic and participatory processes that involve all relevant stakeholders aimed at planning, managing, conserving and protecting marine and terrestrial ecosystems and resources; taking into account their fragility and sensitivity, interactions, the nature of uses as well as their impacts with a view to ensuring sustainable development;

“Minister” means Minister responsible for environment.

PART II OBJECTIVES

Objective
s

4. The objectives of these Regulations are to-
- (a) provide mechanisms for the coordinated and integrated management of coastal zones;
 - (b) promote, protect and conserve the integrity of coastal zones;
 - (c) promote equitable access to opportunities and benefit sharing of coastal resources;
 - (d) strengthen management and sustainable utilization of coastal resources;
 - (e) enhance capacity building to government officials and local communities;

- (f) enhance education and research on integrated coastal zone management;
- (g) raise awareness to the public on integrated coastal zone management; and
- (h) strengthen public-private partnership in matters related to integrated coastal zone management.

PART III
ADMINISTRATION AND INSTITUTIONAL ARRANGEMENTS

Functions
of
Minister

5. For the purpose of giving effect to the provisions of these Regulations, the Minister shall-

- (a) have the overall responsibility for matters related to integrated coastal zone management and in that respect be responsible for articulation of policy guidelines necessary for promotion, protection, conservation and sustainable management of coastal zone environment;
- (b) have power to declare any proposed area of coastal zone to be environmental sensitive or protected areas; and
- (c) designate, and where appropriate direct any of the institutions within specified time, to perform any function or doing any activity as a result of which the coastal zone environment or part of it is or may be seriously endangered or detrimentally affected.

Functions
of
Director
of
Environm
ent

6. The Director of Environment shall-

- (a) develop a National Integrated Coastal Zone Environment Management Strategy;
- (b) submit to the Minister compiled local Integrated Coastal Zone Management Plan; and
- (c) advise the Minister on all matters related to Integrated Coastal Zone Management.

Functions

7. The Council shall-

of
Council

- (a) undertake compliance and enforcement of these Regulations;
- (b) in collaboration with other relevant sector ministries carry out monitoring, control and surveillance which will assist in the proper management and conservation of coastal environment;
- (c) coordinate and undertake research, investigation and survey in the field of coastal zone environment and collect and disseminate information about the findings of such research, investigation or survey;
- (d) render advice and technical support where possible, to the National Steering Committee on Integrated Coastal Zone Management so as to enable them to carry out their responsibilities;
- (e) compile implementation reports of Integrated Coastal Zone Management Plans from the Regional Environmental Management Experts of respective regions and submit the compiled report to the Director of Environment;
- (f) assist in peer review of environmental studies, reports on the status and trends of the coastal and marine ecosystem, and alert respective local government authorities to emerging environmental challenges;
- (g) advise the Minister on the appointment of the Coastal Zone Environmental Inspectors.

Role of
Sector
Ministries

8. The Sector Ministries shall-
- (a) provide policy oversight and guidance on the overall vision on Integrated Coastal Zone Management in their relevant sectors;
 - (b) ensure the National Integrated Coastal Zone Environment Management Strategy is integrated in the local Integrated Coastal Zone Management plan;
 - (c) oversee the overall compliance of the National Integrated Coastal Zone Environment Management

Strategy; na

- (d) provide guidance in any other coastal relevant activities as may be necessary.

Role of
Regional
Secretaria
t

9. The Regional Secretariat shall-

- (a) be responsible for coordination of all matters on Integrated Coastal Zone Management in their respective regions;
- (b) be a liaison with the Director of Environment and the Director General on the implementation, compliance and enforcement of these Regulations;
- (c) provide technical assistance during the development of general management plan for marine protected area and special area management plan and sustainable intergrated coastal zone environmental management programs;
- (d) assist in peer review of environmental studies, reports on the status and trends of the coastal and marine ecosystem, and alert respective local government authorities to emerging environmental challenges;
- (e) facilitate implementation of equitable access to opportunities and benefit-sharing mechanisms at all levels;
- (f) advise and provide technical support to local government authorities on matters relating to Integrated Coastal Zone Management; and
- (g) submit to the Council a compiled implementation report of local Integrated Coastal Zone Management plans.

Role of
local
governme
nt

10. The local government shall, in respect of coastal zone environmental management-

- (a) prepare the Integrated Coastal Zone Management plan in their areas of jurisdiction;
- (b) build capacity to the local community on matters

- relating to Integrated Coastal Zone Management;
- (c) raise awareness and mobilize the local community to promote Integrated Coastal Zone Management;
 - (d) ensure implementation of the Integrated Coastal Zone Management plan;
 - (e) conduct peer review of environmental studies, reports on the status and trends of the coastal and marine ecosystem, and alert respective local government authorities to emerging environmental challenges;
 - (f) develop and implement equitable access to opportunities and benefit sharing mechanisms at local government levels;
 - (g) constitute District Technical Committee on Integrated Coastal Zone Management in the respective district;
 - (h) address coastal zone environmental management challenges; and
 - (i) submit to the Regional Secretariat the approved Integrated Coastal Zone Management plan prepared under these Regulations.

Environmental
Inspectors

11. The Environmental Inspectors designated by the Minister from among any employee of local government, ministry or any other public institution shall be responsible in managing coastal zones environment.

PART IV MANAGEMENT OF COASTAL ZONE ENVIRONMENT

(a) Integrated Coastal Zone Management Plan

Integrated
Coastal
Zone
Management
Plan

12. (1) Each local government authority shall, in respect to its respective geographical area of jurisdiction prepare an Integrated Coastal Zone Management Plan in line with the National Vision for coastal zone management, National Integrated Coastal Environmental Management Strategy, National Environmental Master Plan for Strategic

Interventions, National Environmental Action Plan and any other related environmental instrument.

(2) Each Integrated Coastal Zone Management Plan referred to under subregulation (1) shall-

- (a) be in conformity with National Vision for coastal zone management, National Environmental Master Plan for Strategic Interventions, National Environmental Action Plan and any other related environmental instrument;
- (b) comply with national environmental standards;
- (c) be prepared in cooperation with key stakeholders; and
- (d) provide for an integrated, coordinated and uniform approach to coastal zone management.

Content
of
Integrated
Coastal
Zone
Managem
ent Plan

13. Integrated Coastal Zone Management Plan shall contain-

- (a) objectives of the plan;
- (b) priorities and strategies to achieve those objectives;
- (c) key performance indicators to measure progress with the achievement of those objectives;
- (d) environmental challenges prevalent in the respective coastal zone and recommend measures to address the challenges;
- (e) mechanisms for sustainable utilization and use of coastal resources;
- (f) norms and best environmental management practices;
- (g) framework for cooperative governance to implement measures provided in the Integrated Coastal Zone Management Plan which-
 - (i) identifies the responsibilities of different stakeholders and local communities dependent on coastal resources for their livelihood; and
 - (ii) facilitates coordinated Integrated Coastal Zone Management.

(b) Regulation of Coastal Zone Resources

Regulation of coastal resources 14. Each local government authority shall regulate and ensure sustainable use and conservation of coastal resources in their area of jurisdiction

Management and protection of coastal zone environmental sensitive or protected area 15.-(1) Where an area of the coastal zone is declared to be environmental sensitive or protected area under the provisions of the Act, the relevant ministries shall create awareness and build capacity to the community and public at large.

(2) Without prejudice to subregulation (1), local government authorities shall, under the relevant laws and in collaboration with the sector ministries, prepare and enforce by-laws on integrated coastal zone management.

(3) For the purpose of achieving the objectives of these Regulations, relevant ministries, local government authorities, and stakeholders shall mainstream integrated coastal zone management activities in their annual plans.

Prohibition of utilization of flora and fauna 16. Utilization of flora and fauna in the environmental sensitive or protected areas in coastal zone shall not be permitted unless stated otherwise during declaration of such area.

Easement in environmental sensitive or protected areas 17.-(1) Subject to the provisions of subregulation (2) and where public interest so requires, easement through the environmental sensitive or protected areas may be allowed.

(2) A person who enters in the environmental sensitive or protected areas for the purpose of easement granted under subregulation (1), shall not conduct any of the following acts-

- (a) cut, fell, dig up, burn, uproot, damage, remove or destroy any vegetation;
- (b) introduce any flora or fauna, part of a flora or fauna, flora or fauna specimen whether alien or

- indigenous, dead or alive;
 - (c) dispose any kind of waste;
 - (d) camping, racing, gaming or any other prohibited activities;
 - (e) occupy or reside in the area;
 - (f) build or erect any structure;
 - (g) construct any road, paths, bridges, railways, waterways or runways;
 - (h) mine;
 - (i) take or remove any rock, stones, sand, shells or soil;
 - (j) allow any livestock to enter or graze; and
 - (k) capture any fauna or harvest their produce.
- (3) A person who contravenes the provision of-
- (a) subregulation (2) of this regulation; or
 - (b) regulation 16,
 - (c) commits an offence and on conviction shall be liable to a fine of not less than fifty thousand shillings but not exceeding one billion shillings or imprisonment for a term of not less than three months but not exceeding seven years or both.

Investing
in coastal
zone
GN. No.
349 of
2005

18. Investment in coastal zone shall be governed by the Environmental Management (Environmental Impact Assessment and Audit) Regulations.

Applicati
on for
permit

19. A person who intends to invest in coastal zone shall apply for investment permit in accordance with relevant laws.

Environm
ental
audit on
ongoing
activities
GN. No.
349 of
2005

20. Ongoing activities in coastal zone conducted without obtaining environmental impact assessment certificate, shall be required to undertake environmental-audit in accordance with the Environmental Management (Environmental Impact Assessment and Audit) Regulations.

Utilization of coastal resources

21. Subject to the provisions of regulation 16, utilization of coastal resources shall be subject to provisions of laws of relevant sector ministry.

PART V GENERAL PROVISIONS

Offences and penalties

22. A person who-

- (a) conducts activity in the coastal zone without a written permit issued by relevant sector ministry or authority;
- (b) violates terms and conditions attached to the granted approval under any relevant laws;
- (c) provides false, misleading or deceptive information in order to secure any permit; or
- (d) violates any provision of these Regulations,

commits an offence and on conviction shall be liable to a fine of not less than fifty thousand shillings but not exceeding one billion shillings or imprisonment for a term of not less than three months but not exceeding seven years or both.

Monitoring and evaluation

23-(1) Monitoring and evaluation of the integrated coastal zone management plan shall be carried out periodically.

(2) Subject to subregulation (1), monitoring shall consider-

- (a) quality indexes of critical habitats, water quality and fish landings;
- (b) erosion and accretion, agriculture and mariculture production; and
- (c) any socio-economic quality index as circumstances may deem necessary.

(3) Notwithstanding the provisions of subregulation (1), evaluation shall be conducted after every two years of implementation of Integrated Coastal Zone Management Plan.

Transitional period

24. A person conducting activities in areas within or

along coastal zone shall be required to comply with these Regulations within twelve months from the date of coming into operation.

Appeals

25.-(1) A person aggrieved by the decision made under these Regulations, may appeal in accordance with the provision of the Act.

(2) Where an appeal under subregulation (1), lies to the Minister, it shall be made, within thirty days from the date of decision and shall be by way of a letter stating the grounds of appeal attached with the decision and any necessary documents as the Minister may require.

(3) The Minister shall make decision on the appeal within fourteen days from the date the appeal was received.

(4) The Minister shall, within seven days, communicate his decision and the reasons for the decision to the appellant

Dodoma,
....., 2024

SELEMANI SAIDI JAFO
Minister of State- Vice President's Office
Union and Environment