

CHAPTER 19
THE PREVENTION OF TERRORISM ACT
[PRINCIPAL LEGISLATION]
ARRANGEMENT OF SECTIONS

Section Title

PART I
PRELIMINARY PROVISIONS

1. Short title.
2. Application.
3. Interpretation.

PART II
**PROHIBITION OF ACTS OF TERRORISM AND
PROLIFERATION FINANCING**

(a) Prohibition of Acts of Terrorism

4. Definition and prohibition for terrorism act.
5. Commission of offence of terrorist meeting.
6. Offence of proscribed organisation for commission of terrorist act.
7. Rendering support to terrorism.
8. Harboursing terrorists.
9. Possession of unauthorised article information, etc.
10. Prohibition against false threats of terrorist acts.
11. Overriding effect.
12. Penalties.

(b) Prohibition of Proliferation Financing

13. Prohibition of proliferation financing.

PART III
SPECIFIED ENTITIES

14. International terrorism.
15. Designation of domestic terrorists.

PART IV
OFFENCES

16. Prohibition of financing of terrorism.



17. Collection of property or provision of property and services for commission of terrorism acts.
18. Prohibition of terrorism related to travel.
19. Use of property for commission of terrorist act.
20. Arrangement for retention or control of terrorist property.
21. Dealing with property owned or controlled by terrorist groups.
22. Soliciting and giving support to terrorist groups for commission of terrorist acts.
23. Harboursing of persons committing terrorist acts.
24. Provision of weapons to terrorist groups.
25. Recruitment of persons to be members of terrorist groups or to participate in terrorist acts.
26. Promotion or facilitation of commission of terrorist acts in foreign states.
27. Promotion of offences.
28. Conspiracy to commit offences under this Act.
29. Membership of terrorist groups.
30. Arrangement of meetings in support of terrorist groups.
31. Participation in commission of offences under this Act.
32. Financial penalties.

PART V

INVESTIGATION OF OFFENCES

33. Powers of arrest.
34. Power of investigation in cases of urgency.
35. Intelligence gathering.
36. Powers to intercept communications and admissibility of intercepted communications.
37. Detention of aircraft or vessel.
38. Power to seize property used in commission of terrorist acts.

PART VI

TRIAL OF OFFENCES

39. Jurisdiction to try offences under this Act.
40. Evidence by certificate.
41. Orders for forfeiture of property on conviction for offences under this Act.

PART VII

EXTRADITION AND MUTUAL ASSISTANCE IN CRIMINAL MATTERS

42. Exchange of information relating to terrorist groups and terrorist acts.
43. Counter terrorism Convention to be used in basis for extradition.
44. Offences not to be deemed political.

PART VIII
MISCELLANEOUS

45. Duty to disclose information relating to offences and terrorist acts.
46. Duty to disclose information relating to property of terrorist groups or property used for commission of offences under this Act.
47. Reporting to FIU.
48. Orders for seizure and restraint of property.
49. Orders for forfeiture of property.
50. Refusal of applications for registration, and revocation of registration, of trustees linked to terrorist groups.
51. Provision of information relating to passengers of vessels and aircraft and persons entering and leaving country.
52. Power to prevent entry and order removal of persons.
53. Power to refuse refugee application.
54. Regulations.
- 55-60. Omitted

©2025 Government of Tanzania. All rights reserved. No part of this book may be reproduced or distributed without permission of OAG.

CHAPTER 19

THE PREVENTION OF TERRORISM ACT

An Act to provide for comprehensive measures of dealing with terrorism, to prevent and to co-operate with other states in the suppression of terrorism and to provide for related matters.

[15th June, 2003]

[GN. No. 180 of 2003]

Acts Nos.
21 of 2002
6 of 2012
10 of 2013
8 of 2015
4 of 2016
7 of 2018
14 of 2019
2 of 2022

PART I

PRELIMINARY PROVISIONS

- Short title 1. This Act may be cited as the Prevention of Terrorism Act.
- Application 2.-(1) This Act shall apply to Mainland Tanzania as well as to Tanzania Zanzibar.
(2) A person who commits an offence punishable under this Act beyond the United Republic shall be dealt with under this Act in the same manner as if the act constituting an offence was committed in the United Republic.
- Interpretation 3. In this Act, unless the context otherwise requires-
“Act” means the Prevention of Terrorism Act;
“aircraft” includes an aeroplane, glider and helicopter;
“communication” means a communication received or transmitted by post, telegraphic, telephone or other communication received or transmitted by electricity, magnetism, or other means;

“communication service provider” means a person who provides services or the transmission or reception of communication;

“Court” means the High Court of Tanzania and, as the case may be, the High Court of Zanzibar;

Cap. 423 “Commissioner of Financial Intelligence Unit” shall have the meaning ascribed to it under the Anti-Money Laundering Act;

Cap. 342 “financial institution” means a commercial bank or any other institution which makes loans, advances, investments or accepts deposits of money as defined under the Banking and Financial Institutions Act;

Cap. 423 “Financial Intelligence Unit” also known by its acronym “FIU” means an extra ministerial department established under section 4 of the Anti-Money Laundering Act;

“funds” includes-

- (a) assets of any kind, whether tangible or intangible, movable or immovable by whatever means acquired;
- (b) legal document or instrument in any form, including electronic or digital, evidencing title to, or interest in such assets; and
- (c) bank credits, traveler’s cheque, bankers cheque, money orders, shares, bonds and other securities, draft and letters of credits;

“group or entity” means a person, group, trust, partnership, fund or an unincorporated association or organisation;

“Master” in relation to a vessel, means the owner or a person for the time being in charge or command or control of a vessel;

“Minister” means the Minister responsible for home affairs;

“operator” in relation to an aircraft, means the owner or person for the time being in charge or command or control of an aircraft;

“police officer” means, except where the context otherwise requires, police officer of or above the rank of Assistant Superintendent of Police;

“proceeds of terrorism” means all kinds of properties which have been derived or obtained from commission of funds traceable to a terrorist act, and include cash irrespective of a person in whose name such proceeds are standing or in whose possession or control they are found;

Cap. 423

“proliferation financing” shall have the meaning ascribed to it under the Anti-Money Laundering Act;

Cap. 256

“property” has the same meaning as ascribed to it in the Proceeds of Crime Act; and

“terrorist act” means an act or omission referred to under section 4 of the Act and the expression “terrorist” shall be construed accordingly.

Act No.
2 of 2022 s. 35

PART II PROHIBITION OF ACTS OF TERRORISM AND PROLIFERATION FINANCING

(a) Prohibition of Acts of Terrorism

Definition and
prohibition for
terrorism act
Act No.
2 of 2022 s. 36

4.–(1) A person within or outside the United Republic who commits a terrorist act commits an offence.

(2) A person commits a terrorist act if the act or omission is committed with the aim of-

- (a) seriously intimidating or causing fear amongst members of the public or a section of the public;
- (b) seriously intimidating or compelling the Government or an international organisation to do or refrain from any act; or
- (c) seriously destabilising the religious, political, constitutional, economic or social institutions of a country or an international organisation.

(3) The term “terrorist act” means, an act or threat of action or omission which involves:

- (a) an attack upon a person’s life which may cause death or serious bodily harm;
- (b) the kidnapping of a person;

- (c) serious damage to property;
 - (d) a serious risk to the health or safety of the public or a section of the public;
 - (e) the use of firearms or explosives;
 - (f) releasing into the environment or any part of it or distributing or exposing the public or any part of it to any-
 - (i) dangerous, hazardous, radioactive or harmful substance;
 - (ii) toxic chemical; or
 - (iii) microbial or other biological agent or toxin;
 - (g) disruption of any computer system or the provision of services directly related to communications infrastructure, banking or financial services, utilities, transportation or other essential infrastructure; or
 - (h) disruption of the provision of essential emergency services such as police, civil defence or medical services.
- (4) An act which-
- (a) only disrupts services; and
 - (b) is committed in pursuance of a protest, demonstration or stoppage of work,

shall be deemed not to be a terrorist act within the meaning of this section, so long as the act is not intended to result in any harm referred to under subsection (2).

Commission
of offence of
terrorist meeting

5. A person commits an offence who-

- (a) arranges, manages or assist in arranging or managing or participates in a meeting or an act knowingly that it is concerned with an act of terrorism;
- (b) provides logistics, equipment or facilities for a meeting or an act knowingly that it is concerned with an act of terrorism; or
- (c) attends meeting knowing that it supports a proscribed organisation or to further the objectives of a proscribed organisation.

D. - Procedure in Case of the Insanity or Incapacity of an Accused Person

232. Prosecutor to give or adduce evidence before inquiry by court as to insanity of accused.
233. Procedure where accused certified as capable of making defence.
234. Resumption of trial or inquiry.
235. Defence of insanity at trial.
236. Court's power to inquire into insanity.
237. Procedure where accused does not understand proceedings.

PART VII

PROCEDURE IN TRIALS BEFORE SUBORDINATE COURTS

(a) Provisions Relating to the Hearing and Determination of Cases

238. Non-appearance of complainant at hearing.
239. Appearance of both parties.
240. Withdrawal of complaint.
241. Abatement of trial in subordinate courts.
242. Adjournment and remand of accused.
243. Non-appearance of parties after adjournment.
244. Accused may be convicted and sentenced notwithstanding his absence.
245. Accused to be called upon to plead.
246. Procedure on plea of "not guilty".
247. Discharge of accused person when no case to answer.
248. Defence.
249. Evidence in reply.
250. Order of speeches.
251. Variance between charge and evidence and amendment of charge.
252. Decision.
253. Evidence relative to proper sentences or order.
254. Taking other offences into consideration.
255. Drawing conviction or acquittal orders.
256. Order of dismissal of further charges.
257. Statements by medical witnesses.

(b) Limitations and Exceptions Relating to Trials Before Subordinate Courts

258. Limitation of time for summary trials in certain cases.
259. Procedure in case of offence proving unsuitable for summary trial.

Committal of Accused Persons by Subordinate Courts to the High Court for Trial

(a) Provisions Relating to Committal of Accused Persons for Trial to the High Court

260. Power to commit for trial.
261. Courts to hold committal proceedings.

262. Procedure on arrest.
263. Committal for trial by court.
264. Witnesses for prosecution and defence.
265. Adjournment of proceedings.
266. Accused entitled to copy of proceedings.
267. Court may bind witness to appear at trial.
268. Refusal to be bound over.

(b) Preservation of Testimony in Certain Cases

269. Taking deposition of person dangerously ill or unable to attend trial.
270. Notice to be given.
271. Opportunity for cross-examination and transmission of statements.
272. Use of statements in evidence.

(c) Proceedings after Committal for Trial.

273. Transmission of records to High Court.
274. Trial by resident magistrate with extended jurisdiction.
275. Notice of trial.
276. Copy of information and notice of trial to be served.
277. Returns of service.
278. Postponement of trial.
279. Information to be signed by Director of Public Prosecutions.
280. Form of information.
281. Witnesses to be summoned.

**PART VIII
PROCEDURE IN TRIALS BEFORE THE HIGH COURT**

(a) Practice and the Mode of Trial

282. Practice of High Court in its criminal jurisdiction.
283. Proceedings which may require assessors.

(b) Assessors

284. Liability to serve as assessor.
285. Exemptions.
286. No exemption by sex or marriage from liability to serve as assessor.

(c) Attendance of Assessors

287. Summoning of assessors.
288. Form of summons.
289. Objections to summons to serve as assessor.
290. Excuses from attendance.

291. List of assessors attending.
292. Penalty for non-attendance of assessors.

(d) Arraignment

293. Pleading to information.
294. Orders for amendment of information, separate trial and postponement of trial.
295. Quashing of information.
296. Procedure in case of previous convictions.
297. Plea of “not guilty”.
298. Plea of *autrefois* acquit and *autrefois* convict.
299. Refusal to plead.
300. Plea of “guilty”.
301. Proceedings after plea of “not guilty”.
302. Power to postpone or adjourn proceedings.
303. Abatement of trial before High Court.

(e) Selection of Assessors

304. Rules regarding selection of assessors.
305. Absence of assessor.
306. Assessors to attend at adjourned sittings.

(f) Case for the Prosecution

307. Opening case for prosecution.
308. Additional witnesses for prosecution.
309. Cross-examination of witnesses for prosecution.
310. Statements by medical witnesses.
311. Statement of evidence of accused.
312. Close of case for prosecution.

(g) Case for the Defence

313. Case for defence.
314. Additional witnesses for defence.
315. Prosecutor’s reply.
316. Where accused person does not give evidence.

(h) Close of Hearing

317. Delivery of opinion by assessors and giving of judgment.
318. Conviction where proceedings heard partly by one judge and partly by another.

PART IX
CONVICTIONS, JUDGMENT, SENTENCES AND THEIR EXECUTION
IN THE SUBORDINATE COURTS AND HIGH COURT

A. - Miscellaneous Provisions Relating to Convictions

319. Where offence proved is included in offence charged.
320. Person charged with offence may be convicted of attempt.
321. Alternative verdicts in various charges involving homicide of children.
322. Alternative verdicts under Road Traffic Act in certain manslaughter cases.
323. Alternative verdicts in charges of rape and kindred offences.
324. Person charged with burglary, etc., may be convicted of kindred offence.
325. Alternative verdicts in charges of stealing and kindred offences
326. Alternative verdicts in charges of being in possession of property suspected of having been corruptly acquired.
327. Construction of sections.
328. Person charged with warrant offence not to be acquitted if non warrant offence proved.
329. Right of accused to be defended.

B. - Judgment Generally

330. Mode of delivering judgment.
331. Content of judgment.
332. Copy of judgment, etc. to be given to accused or interested party on application.

C. - Sentences

(a) Passing Sentence in the High Court

333. Calling upon accused.
334. Motion in arrest of judgment.
335. Sentence.
336. Power to reserve decisions on questions raised at trial.
337. Power to reserve questions arising in course of trial.
338. Objections cured by judgment.
339. Evidence for arriving at proper sentence.
340. Taking other offences into consideration.

(b) Sentence of Death

341. Sentence of death.
342. Accused to be informed of right of appeal.
343. Authority for detention.
344. Report and record to be sent to President.

(c) Other Sentences

345. Conditional discharge.

(d) Execution of Sentences

- 346. Warrant in case of sentence of imprisonment.
- 347. Warrant for levy of fine.
- 348. Objections to attachment.
- 349. Suspension of execution of sentence of imprisonment in default of fine.
- 350. Commitment for warrant of distress.
- 351. Commitment in *lieu* of distress.
- 352. Payment in full after commitment.
- 353. Part payment after commitment.
- 354. Who may issue warrant.
- 355. Limitation of imprisonment after commitment.

D. - Miscellaneous Provisions for Dealing with Offenders

(a) First Offenders

- 356. Power to release upon probation instead of sentencing to punishment.
- 357. Provisions in case of offender failing to observe conditions of his recognisance.
- 358. Conditions as to abode of offender.
- 359. Release of offender on community service.
- 360. Sections 356, 357 and 358 not to apply in certain circumstances.

(b) Offenders with Previous Conviction

- 361. Power to subject to police supervision.
- 362. Requirements from person subject to police supervision.
- 363. Failure to comply with requirements under section 362.

(c) Defects in Order or Warrant

- 364. Errors and omissions in orders and warrants.

E. - Miscellaneous Powers of the Court to order Compensation, Costs, Forfeiture, etc.

(a) Costs and Compensation

- 365. Costs against accused.
- 366. Order to pay costs appealable.
- 367. Compensation in cases of frivolous or vexatious charge.
- 368. Power to order accused to pay compensation.
- 369. Compensation in case of sexual offences.
- 370. Costs and compensation to be specified in order, and how recoverable.
- 371. Power of courts to award expenses or compensation out of fine.

(b) Forfeiture

- 372. Power to order for forfeiture of property.
- 373. Warrant of search for forfeited or confiscated articles.

(c) Disposal of Exhibits

- 374. Disposal of exhibits.
- 375. Disposal of obscene or defamatory publications or noxious or adulterated food, etc.
- 376. Person dispossessed of property may have it restored.
- 377. Public officer connected with sale of property not to purchase or bid for property.

F. - Restitution of Property

- 378. Property found on accused person.
- 379. Property stolen.

**PART X
APPEALS**

(a) Appeals Generally

- 380. Appeal to High Court.
- 381. No appeal on plea of guilty.
- 382. Limitation.
- 383. Petition of appeal.
- 384. Appellant in prison.
- 385. Summary rejection of appeal.
- 386. Notice of time and place of hearing.
- 387. Powers of High Court on appeal and right of appellant to appear.
- 388. Order of High Court to be certified to lower court.
- 389. Suspension of sentences and admission to bail pending appeal.
- 390. Further evidence.
- 391. Number of judges on appeal by appellant.
- 392. Withdrawal of appeal.
- 393. Abatement of appeal on death of appellant.

(b) Revision

- 394. Power of High Court to call for records.
- 395. Power of High Court on revision.
- 396. Discretion of High Court as to hearing parties.
- 397. Number of judges on revision.
- 398. High Court order to be certified to lower court.

(c) Appeals by Director of Public Prosecutions

- 399. Interpretation.
- 400. Appeals by Director of Public Prosecutions.
- 401. Limitation.

402. Petition of appeal.
403. Notice of time and place of hearing.
404. Director of Public Prosecutions may address court.
405. Non-attendance of parties.
406. Further evidence.
407. Number of judges on appeal by Director of Public Prosecutions.
408. Withdrawal of appeal by Director of Public Prosecutions.
409. Abatement of appeal on death of respondent.

PART XI SUPPLEMENTARY PROVISIONS

(a) Irregular Proceedings

410. Proceedings in wrong place.
411. Finding or sentence, when reversible by reason of error or omission in charge or other proceedings.
412. Distress not illegal nor distrainer trespasser for defect or want of form in proceedings.

(b) Directions in the Nature of Habeas Corpus and Writs

413. Power to issue directions of nature of *habeas corpus*.
414. Power of High Court to issue writs.

(c) Miscellaneous

415. Persons before whom affidavits may be sworn.
416. Applications.
417. Copies of proceedings.
418. Forms.
419. Powers of Minister to make regulations.
420. Sexual offender's indices.
421. Repeal.

SCHEDULES