

CHAPTER 375

THE ISLAMIC LAW (RESTATEMENT) ACT

[PRINCIPAL LEGISLATION]

ARRANGEMENT OF SECTIONS

Section Title

1. Short title.
2. Preparation of statements of Islamic Law.
3. Published declarations to be authoritative.
4. Application to Muslim Asians.



CHAPTER 375

THE ISLAMIC LAW (RESTATEMENT) ACT

An Act to provide for the restatement of Islamic Law.

[11th December, 1964]

Act No.
56 of 1964
[R.L. Cap. 570]

Short title

1. This Act may be cited as the Islamic Law (Restatement) Act.

Preparation of
statements of
Islamic Law

2.-(1) The Minister responsible for legal affairs, hereinafter referred to as the Minister, may prepare or cause to be prepared statements of the Islamic law on any subjects and according to the schools, including any of their qualifications, additions, amendments and other matters of practice relating to them which, by the consensus of persons learned in the relevant school of law, obtain in Mainland Tanzania, which he considers appropriate or expedient for purposes of this Act, and may publish them in the *Gazette*:

Provided that, no statement shall include any provision purporting to declare any act or omission criminal.

(2) Every statement shall specify the school to which it relates and, if one statement relates to two or more schools which make different provision in relation to the same subject, the statement shall identify those differences and specify the school to which each relates.

Published
declarations to be
authoritative

3. Where any statement is published in the *Gazette*, it shall be deemed to be an authoritative, conclusive and proper statement of the Islamic law in respect of the subject and according to the school to which it relates and shall be applied and given effect to accordingly by all courts in any cases and matters which are to be determined in accordance with that school of the Islamic law.

Application to
Muslim Asians
Cap. 28

4. For the avoidance of doubt it is hereby declared that the provisions of any relevant statement published under this Act shall apply to cases and matters in which Islamic law of the relevant school applies by virtue of the Succession (Non-Christian Asiatics) Act.

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