

THE UNITED REPUBLIC OF TANZANIA



No. 56 OF 1964

I ASSENT,

*Julius K. Nyerere*

President

19TH DECEMBER, 1964

**An Act to provide for the Restatement of Islamic Law**

[11TH DECEMBER, 1964]

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the Islamic Law (Restatement) Act, 1964. Short title

2.-(1) The Minister for the time being responsible for legal affairs (hereinafter referred to as the Minister) may prepare or cause to be prepared statements of the Islamic law on such subjects and according to such schools (including such qualifications thereof and such additions and amendments and matters of practice relating thereto as, by the consensus of persons learned in the relevant school of law, obtain in Tanganyika) as he considers appropriate or expedient for the purposes of this Act, and may publish the same in the *Gazette*: Preparation of statements of Islamic law

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

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

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 such cases and matters as are to be determined in accordance with such school of the Islamic law. Published declarations to be authoritative

Application  
to Muslim  
Asians

Cap. 112

4. For the avoidance of doubts 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 Marriage, Succession and Divorce (Non-Christian Asiatics) Ordinance.

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Passed in the National Assembly on the first day of December, 1964.

  
Clerk of the National Assembly