# LEGAL UPDATE FB ATTORNEYS

### 2 March 2020



# **Beggars Outlawed in Ilala Municipality**

- Means of identifying beggars provided
- Procedures of apprehending beggars prescribed
- Authorised officers and agents to enforce the By-Laws
- · Ways of donating to the needy stipulated
- Donating to beggars and street music performers criminalised

The Municipal Council has issued Government Notice No. 529 of 2019, namely Ilala Municipal Council (Prohibition of Beggars) By-Laws 2019. The said By-Laws cameinto force on 19 July 2019 but the implementation of the By-Laws began on 24 February 2020.

The By-Laws define beggars to mean any person with or without disabilities, who earns his living by begging for money, food or any other things. Further, the definition of beggars includes people who do street music performances with the intention of begging or receiving donations/rewards from the public.

The By-Laws also prohibit giving or begging for money, food or any other thing in the streets or open spaces except in authorised places. All residents of Ilala are obliged to cooperate with the authorities by reporting people who are believed to be beggars, failure of which amounts to an offence punishable by fine of up to TZS 300,000 or imprisonment of up to 12 months or both.

It is worth noting that, anyone who will be found loitering in the streets and begging for money, food or any other things will be apprehended by the authorised officers/agents. The agents will thereafter record his/her personal information such as full names, gender, age and take their photograph. The said photograph will be used for future identification especially for habitual beggars.

The By-Laws require all people who are interested in donating to the needy to do so in the right places, namely religious institutions, orphanage centers, centers for people with disabilities and nursing homes.

Moreover, the Ilala Municipal Director is vested with powers to compound offences with payment of fine amounting to TZS 200,000 pursuant to the provision of by-law 9. A document in the form prescribed in the schedule to the By-Laws shall be signed by the offender and attested by one witness.

Further, the Ilala Municipal Council is empowered to evict all beggars and return them to their respective districts or areas.

These By-Laws are specifically applicable within the Ilala Municipality. However, it might be a starting point for other Municipalities to make similar By-Laws. It is important to note that for By Laws like these to become operational, they must be consented to by the Minister responsible for Local Government.

To read the By-Laws click here.

For further information on legal updates please contact:

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