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**THE RESEARCH FOUNDATION OF THE STATE UNIVERSITY OF
NEW YORK
CENTER FOR INTERNATIONAL DEVELOPMENT**

**TECHNICAL ASSISTANCE FOR THE STRENGTHENING OF
TANZANIA'S UNION NATIONAL ASSEMBLY**

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**QUARTERLY REPORT
JANUARY TO MARCH 2005**

Submitted on 31st March 2005
by
SUNY/Tanzania

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1. BACKGROUND TO THE CONTRACT AND A BRIEF ANALYSIS OF THE POLITICAL CONTEXT /ENABLING ENVIRONMENT AND ITS IMPACT ON THE PROGRAM.

The State University of New York Center for International Development (SUNY/Tanzania), in partnership with its associates was on 11 May 2003 awarded a two-year contract to provide technical assistance for the strengthening of Tanzania's Union National Assembly.

The range of support provided under the auspices of this Project will enable the Parliament to carry out its representative, lawmaking, oversight and administrative functions more effectively and in accordance with the spirit of democratic governance. The Project team works as a partner with the Tanzanian Parliament in providing technical support to enable the national legislature to play a more central role in Tanzania's governing and development processes. The Project aims to achieve the following primary results:

- 1) **Improve representation:** increased citizen access to and understanding of the legislative process;
- 2) **More effective lawmaking:** Parliamentary committees make better use of research and more actively solicit inputs from civil society in the consideration of legislation in targeted sectors;
- 3) **Enhance management and administration:** increased quality and efficiency of service delivery to all members by parliamentary administrative support units;
- 4) **More effective oversight:** increased legislative capacity to monitor public expenditure and oversee implementation of the Poverty Reduction Strategy.

The Project is a component part of the current USAID Strategic Plan for Tanzania which includes the D&G Strategic Objective IR 3.2: "*Targeted Government Institutions are more responsive to public concerns on selected issues*" (i.e. HIV/AIDS, natural resource management & private sector development) IR 3.2.1 states: "*Government capacity to engage in the policy/law process strengthened*". USAID defines Government in this context as the Parliament. As previously reported this is the first major holistic legislative strengthening activity launched in Tanzania and as such is considered a pioneer in terms of the means by which the technical assistance is delivered. This is the penultimate QMR of the current contract which ends on 12 May 2005.

Although multi party democracy has been in place for almost two decades in Tanzania, in many ways democracy remains very much in its infancy in terms of open political space. CCM holds roughly 90% of all 295 seats in Parliament and this some might say tight rein has been further strengthened by the various opposition parties' own internal problems. Over the past Quarter the political environment has become more animated as more and more of the high profile names in Tanzanian politics announce their decision to vie for the Presidency of mainland Tanzania. Both the Presidential and Parliamentary elections are held simultaneously in October 2005 but the Presidential nominations have a run-off at the CCM Central Committee level in May 2005 where the pool of initial aspirants will be whittled down to just three names and thereafter a single name who effectively becomes the next President on the almost certain basis that CCM retain overall control in Tanzania. The existence of the Project will become all the more important as the current Parliament prepares for both Presidential and Parliamentary elections and the inauguration of the new Parliament in November 2005.

The work undertaken since the start of the Project to build solid coalitions amongst reform-minded MPs and Parliamentary Service staffers have begun to show signs of taking root as both

parties see their reliance upon one another. Such unity will ultimately help in the drive towards advocating for changes within the Parliamentary structures which will provide a solid foundation upon which to build an ongoing modernization program. Added to these efforts to help build a much more collaborative relationship between MPs and the staff who support them, the Project is also now trying to gain access, on behalf of the Parliament, to other Public Service organizations who need to interact with Parliament so that those groups also understand the importance of Parliament and that there are effective operational information channels directly into the Parliament. Such work to build those relationships of course have resource implications in terms of having to explain the Project mantra to some Public Service organizations who are skeptical about the role of Parliament and their relationship in terms of information provision, but persistence and determination have begun to reap real rewards some of which are discussed later in this Report. The Quarter has also seen an absence of requests for funding and support from the MPs which have hitherto characterized the lack of understanding on the part of some MPs on the role of the Project and the existence of the agreed Workplan. This is a good sign and does indicate that the modus operandi of the Project has finally been accepted and understood at the MP level. However, rather more worryingly, this trend of submitting proposals requesting funding has now begun to be displayed by the Parliamentary staffers. This inevitably provokes a negative response since the proposal often does not tie in with any of the agreed Workplan objectives. The arrival of the new Clerk to Parliament should, over time, reduce such instances.

As previously reported the change in attitude by the Speaker towards the Project has been maintained and he remains very focused on what the Parliament wants and expects from the Project activities. He sees the key remit for the Project is to build the capacity of the Parliamentary Committees as this will, over time, build the Institutional capacity of the Parliament. We also suspect that the angst that the Speaker obviously had about the Project in the early days has begun to dissipate partly because we suspect that MPs have been informing the Speaker how much they appreciate the work and support provided by the Project (the recent study tour of the Parliamentary Committee Chairpersons to the US is a case in point where the Chairpersons extolled the virtues of the Project both in Washington and on return around Dar es Salaam). Secondly whenever there have been difficulties in terms of the Speaker resisting a proposed activity, the Project team takes on board such comments and makes appropriate modifications to the proposed activity and yet still strives to meet the agreed Workplan objectives despite the initial rebuttal or adverse comments made by the Speaker. This is not uncommon within any legislative strengthening activity: such is the "handling" required in dealing with such a powerful and influential Speaker as is the case in Tanzania but it does require a deft touch, persistence and a knowledge of the Parliamentary terrain. What is clear is that with the General Elections looming large there will be a real need to continue to maintain the momentum in the lead up to and immediately after those Elections. As previously mentioned the recent appointment of the new Clerk to the Parliament, Mr. Damian Foka seems to have heralded a new era in terms of the management within the Parliament. In keeping with tradition, Mr. Foka was appointed by the President independently of the Speaker. Mr. Foka has in the past served as a Special Presidential Advisor and his most recent Public Service post was within the Presidents Office - Regional Administration & Local Government, so there are strong indications that his appointment has been carefully planned to help stabilize the Parliament with a public servant both with political antennae and the confidence of the President as well as senior Members of the Executive.

2. Executive Summary

The Quarter has seen significant strides in the achievement of a range of Workplan activities which are detailed in tabular form.

Key highlights include;

Result Area 1

- ⇒ Successful roll out of x5 public hearings at constituency level on the 14th Constitutional Amendment Bill,
- ⇒ Submission of a situational analysis on Parliamentary Committee level public hearings,
- ⇒ CSO briefings into the Parliament.
- ⇒ Discussions held with CSOs about the concept/modalities of the CSO Parliament function through a liaison officer.

Result Area 2

- ⇒ Reviewing the content and scope of the Committee specific Resource Manuals.

Result Area 3

- ⇒ the formal preparation of the East African Parliamentary Institute Memorandum of Understanding.

Result Area 4

- ⇒ Completion of the impact assessment of the Politicians of the Future program (POF),
- ⇒ Development of a concept paper for the Chairperson of the Finance & Economic Affairs Committee on the provision of analytical support to the Committee, and
- ⇒ Appointment of new AP members.

All these matters are discussed in greater depth in the next section of this QMR.

3. SUMMARY OF ACTUAL ACCOMPLISHMENTS COMPARED TO PLANNED ACTIVITIES.

3.1 Program Workplan

The agreed Workplan is a living document and therefore liable to modification subject to the prevailing environment and Sponsor approval, and also that there must be real "buy-in" and ownership of all the activities planned. This has continued to require regular consultation and meetings with the Parliamentary Projects Co-ordinator to ensure that Parliament fully endorse the activities planned. It also provides the opportunity for the Project to receive adequate feedback on the progress being made but also to solicit inputs/insights into handling issues in order to achieve the stated Results. As previously reported it had become increasingly clear that inadequate feedback was being given to staff about the Project activities which in turn sometimes resulted in some confusion when the Project team attempted to roll-out activities. Whilst work has been put in place to make sure all the Parliamentary staff are kept up to date with the Project activities with the publication of a synopsis of the current/planned Project activities, it had become increasingly clear that the lack of a strong Clerk to Parliament was meaning that some of the issues discussed with the Parliamentary Projects Coordinator and the agreements reached, were not being passed up the management chain and as such had little or no support at the Acting Clerk level. The arrival of Mr. Foka, will, it is hoped, herald a new era

of greater ownership at managerial level for the Projects activities and fulfillment of the partnership arrangements. There will be a need to adequately brief the new Clerk and to put the Project into context so that at this Senior level he is fully au fait with the Project modalities.

3.2 Activity Summary

Workplan activities undertaken within the QR period January 2005- March and planned activities for April - May 2005

RESULT ONE: IMPROVING REPRESENTATION: INCREASED CITIZEN ACCESS TO AND UNDERSTANDING OF THE LEGISLATIVE PROCESS

Constituency level public hearings on Parliamentary Bills Workplan Activity 1.2

A. Shortly before the Christmas break the Project, in collaboration with the Speaker, discussed the possibility of the Project providing support to the Parliamentary Committee on Constitutional, Legal and Public Administration to enable it to conduct its deliberations on the 14th Constitutional Amendment Bill 2004. The Bill was made public shortly before Christmas whilst the Parliament was on Recess and the Committee was due to spend two weeks in DSM deliberating on the merits of the Bill. This has been the traditional method and timeframe that Committees follow in scrutinizing Bills. However in order to help gather information and inputs from citizens and a variety of different stakeholders, it was agreed that public hearings should be held in x5 locations in Tanzania these included Arusha, Mbeya, Mwanza, Tabora and Zanzibar. The key highlights of the Bill included:

- ⇒ **Representation of Women:** increasing the number of the women MP seats from 20% to 30%. This was a commitment made in SADC and the Beijing Forum,
- ⇒ **Presidential appointees:** adding not more than ten members elected by the President at least five of these members should be women. Currently most of the women MPs are the Special Seat MPs. This was well supported by the stakeholders' particularly Tanzanian citizens,
- ⇒ **Establishment of National Advisory Council:** comprising of the President as the Chairperson, retired Presidents of United Republic of Tanzania and the Revolutionary Government of Zanzibar, and other members appointed by the President. This issue proved to be quite contentious and many stakeholders opposed the idea of establishing the Council and in fact the Government withdrew the clause in the Bill on the strength of those objections before the Bill received its First Reading,
- ⇒ **Claw back clauses:** participants were unanimous on the point that Constitutional guarantees of human rights should not be made subject to other laws,
- ⇒ **Establishment of the post of Deputy Attorney General and the relationship with the Director of Public Prosecutions:** some participants were of the view that because these posts are sensitive, their appointment by the President should be made subject to confirmation by the Parliament. Some argued that the DPP's post should be a Union matter or else included within the DPP of Zanzibar in the scope of the Constitution,
- ⇒ **Prime Minister to deputize for the President:** this would remove the Speaker to Parliament and Chief Justice within the succession line. Many participants were against the idea as they felt it would risk dividing the Union and would cloud the separation of powers tenets within the Constitution,

- ⇒ **Electoral Commission membership:** participants proposed that all the members of the Tanzania Electoral Commission must be non-partisan to avoid unnecessary confrontations amongst themselves and ensure impartial decisions for all Parties,
- ⇒ **Human rights:** was highlighted by explicitly stating that the rights of all citizens including the freedom of expression, of communication as well as the right to receive information on all issues that affect the lives and activities both economic and social were to be protected,
- ⇒ **State and religion:** that the Government will not be affiliated to any religion, however, faith, religious teachings are individual rights and religious activities and the management of religious organizations will be outside the scope of the Government. This was a crucial point on the case of Tanzania Mainland and Zanzibar. Many people supported the case of separating the State from religious affairs because of painful past experiences associated with the elections.

In addition to the Committee hearings which involved local citizens, the Committee was also able to benefit from legal inputs provided by Civil Society who provided some independent legal experts to assist both the MPs and the public hearing attendees to interpret the Constitution and the contents of the Bill. Annex A includes a summary report of the public hearings assignment. Annex B includes the reports generated by the CSO legal experts on the public hearings. It was also patently clear that whilst the most up to date version of the Constitution of the United Republic of Tanzania is available in Kiswahili (dated 1998), that many citizens have no idea of their rights under the Constitution or indeed the functions of the State. Many saw the public hearing as an unfamiliar event and in some cases the participants at the hearing refused to discuss the Amendment Bill since they opined the fact that they had no idea what the Constitution contained, let alone that the 14th Amendment was under discussion. In other locations the audience was far more willing to push the case that the citizens were never involved in any meaningful discussions about the Constitution and that their views were only solicited at the end of the process. This would also serve to suggest that whilst the Executive through the Ministry sponsoring/authoring the Bill, conducts public hearings that these tend to take place in Dar es Salaam rather than at the local level. In fact the Minister for Justice and Constitutional Affairs approached the Project to get the Project to fund Ministry officials traveling as part of the Parliamentary delegation team to the five locations. Given that the Bill was a matter for Parliamentary debate and discussion and the Projects support is directed to achieve that objective, this request was politely refused. The public hearings provided an invaluable opportunity for the team currently developing the training tool on public hearings to have the opportunity at first hand to observe the performance of the Members of Parliament, Parliamentary staffers and the citizens in the five locations in dealing with the concept of the public hearings. Based on this real life example of a Parliamentary Committee conducting public hearings it is demonstrably clear that there is still a substantial amount of work required to help the Parliamentarians to fully understand the concept of public hearings. The situational analysis report on the Parliamentary Committee level public hearings assignment is attached at Annex C. This report indicates a great deal of what the Project team suspected, that the problems associated with Parliament's capacity to conduct public hearings in a systematic manner are numerous and varied. The key problems identified within the Report are: restrictive Standing Orders governing access to Committees by the public and CSOs, inadequate resources (both time and cost) allocated to Committees to hold public hearings at constituency level at will; Standing Orders provision within the normal business of the Committees which co-opts the Attorney General's representative onto the Committee during Bill deliberation stage which effectively results in the Attorney General's representative seeking to defend the Bill rather than consider the legal issues or be willing to accept ideas or counter proposals; the lack of overall competence of the MPs and the Parliamentary staffers to run effective constituency level public hearings; that there is inadequate advance notice given of

impending Bills due to be tabled in Parliament; inefficient communication systems to get Bills issued out to MPs in good enough time before formal submission into the Parliament.

ACTIVITIES FOR THE NEXT QUARTER

The situational analysis Report highlights a number of substantive areas of weakness within the current systems and offers a number of suggestions and recommendations to improve the links between Parliament, the Executive and Tanzanian citizens all of which will require further discussion and collaboration with the Parliament. Added to this, and in order to ensure the sustainability of the work carried out to date, a generic information pack specifically designed for Members of Parliament to enable them to conduct public hearings either as individuals or within the Parliamentary Committee context entitled "how to conduct a public hearing," will be lodged within the Parliament. Clearly such a Manual will also require further work to be undertaken to rectify some of the problems identified within the ambit of Parliament's structures and organization but will also require follow-ups with the Executive branch particularly on the issues of planned legislation coming forward to the Parliament.

Increase access to Parliament by Civil Society Organizations (CSOs)

Workplan Activity 1.3

A. Undeterred by the Speaker's resistance to the idea of launching a series of "breakfast briefings" where the CSOs could be invited by the specific Parliamentary Committee to discuss topics of mutual interest, the Project team have been thinking through alternative means of getting information into the Parliamentarians. Therefore and exploiting its comparative advantage as an academic institution, the Project team will be inviting MPs to attend a series of "knowledge based power breakfasts" where there will be the opportunity for learned organizations both at CSO and possibly at development partner level, to come and have the opportunity to present a paper and seek interaction and discussion with Members of Parliament. The initial target audience will be the Parliamentary Committee Chairpersons on the basis that they can become champions for the idea of regular briefing sessions. One of the first topics that will be discussed will be trafficking in persons (TIP) as this is not something that seems to engage the Parliamentarians in any meaningful way.

It is clear that with the impending Elections are looming large with the MPs and that their focus and therefore attention, is not going to be on forging links with outside organizations since they will be too busy seeking to achieve their Party nomination which once acquired will enable them to launch their political re-election campaigns. This renders the idea of devising and rolling out joint training workshops for MPs and CSOs as part of the fourth Phase of the strategy to increase access to the Parliament by Civil Society, as inappropriate at this time. However the inauguration of a new Parliament in November 2005 offers a great opportunity to help the MPs to engage and learn more about Civil Society generally.

ACTIVITIES FOR THE NEXT QUARTER

The first of the "knowledge based power breakfasts" is scheduled to kick off on 1 April 2005 and the first breakfast will focus on trafficking in persons and will use the services of the Tanzania Media Women's Association (TAMWA). A synopsis of the TAMWA presentation is attached at **Annex D**. A report will be submitted in the next QMR. A meeting is scheduled to be held with some of the major CSOs in Tanzania and a stalwart in terms of the NGO Policy Forum, where the issues associated with bringing the MPs closer together to Civil Society will be discussed. Since the start of the current Project there has been some debate about the modalities and means by which the Parliament and Civil Society relationship can be enhanced and strengthened. In the early days one way found useful was to familiarize both parties to their respective roles and responsibilities through training events and seeking to identify opportunities for the parties to collaborate for example briefings into Committees and the CSO Exhibition 2004. However one of the issues that emerged and was discussed some months ago was how best to design the

CSO-Parliament liaison function. At present this is enshrined within a sub contract with another USAID contractor – PACT. However in the early days the issues of perceptions both within Civil Society, who felt no real ownership of the CSO Parliament Liaison Officer (CPLO) role and on the part of Parliament they saw no added value since they didn't really understand or appreciate the role of Civil Society and the CPLO did not have the authority or mandate to speak on behalf of the CSOs. Therefore the issues was to try to identify the best means of giving CSOs some real ownership for the CPLO function and Parliament the conduit through which it could address its requests for advice and support to Civil Society. Therefore there was a need to consult with some of the larger CSOs to seek their views on the CPLO functions and more importantly to discuss the ownership of that function. In order to get the issues onto the radar, the Project team devised a concept paper which sought to address the issues associated with the CPLO function. One of the underpinning issues was that any support to the CPLO function should be both owned by Civil Society and sustainable in terms of Civil Society seeing the function as adding value and also being incorporated within existing CSO networks. There might be a need for some "pump priming" to get the function up and running as a pilot since this would give the CSOs time to evaluate the usefulness of the function but there would be a much greater degree of ownership by Civil Society which could in the longer term lead to sustainability of the function within Civil Society. Initial discussions about the CPLO concept paper have been positive but the next steps will be to seek the views of a number of CSO networks. The concept paper on the CSO Parliament function is attached at Annex E. Added to these strategic issues there is likely to be further work with the CSOs dealing with HIV/AIDs as the long awaited omnibus draft legislation is under development and is due to be released in 2005. In addition, the relationship created last year with the NGO Coordination Unit in the Vice President's Office has been reinvigorated as another means of trying to identify opportunities for Parliament and Civil Society to engage. This link with the Executive will also enable the Project team to gain insights on the general attitude of the Government towards the CSOs. The NGO Amendment Bill is apparently now at Cabinet level and may come forward for debate during the life of the current Parliament. The NGOs have been able to put forward their concerns and recommended changes to the NGO Act and will probably wish to also lobby the Parliament too once the Amendment Bill is tabled.

Enhance Parliament's outreach activities

Workplan Activity 1.4:

A. As previously reported, UNDP has agreed to provide some funding towards mounting a youth parliament in March 2005. The earlier reported financial shortfall has been bridged by the Ministry of Education so the Project will take the opportunity to observe the overall management and issues arising from that event. The last youth parliament was held in 1999 and was funded by the British High Commissioner, so it will be important to see how Parliament manages the March 2005 event. Within the Parliament there have been changes which now mean that the previous Executive Director of the Bunge Foundation for Democracy (BFD) has been appointed the Director of newly formed Department of Civic Education, International Relations and Protocol so there will be a need to find out what plans are under consideration in terms of Parliamentary outreach activities. Also as identified within the situational analysis report on public hearings at Parliamentary Committee, there is a real issue that Parliament needs to accept the importance of Parliament formalizing the whole concept of regular public hearings into its routine operations and plans.

ACTIVITIES FOR THE NEXT QUARTER

The work carried out last year to review the outreach capabilities within the Parliament which although submitted in August 2004, have yet to be responded to formally by the Parliament. Therefore we will be opening up discussions to enable us to understand what the long term

civic education plans are within the Parliament. However one of the many things that emerged from the public hearings activities in January 2005, is the fact that the level, knowledge and understanding of the average citizen in Tanzania about the role of the State and in particular the role of the Parliament, is largely a mystery even the issues enshrined in the Constitution are neither understood nor owned by the average citizen in the rural areas. This would seem to indicate that there is a much greater problem than just Parliamentary outreach which will have to be touched upon within the forthcoming meeting with Parliament.

RESULT TWO: MORE EFFECTIVE LAWMAKING: PARLIAMENTARY COMMITTEES MAKE BETTER USE OF RESEARCH AND MORE ACTIVELY SOLICIT INPUTS FROM CIVIL SOCIETY IN THE CONSIDERATION OF LEGISLATION IN TARGETED SECTORS.

Enhancing Committee operations

▪ Review of Committee operations

Workplan Activity 2.1

A. As previously noted there is a real disconnect between the Committee Chairpersons and their Committee Clerks in terms of their understanding of their respective roles and responsibilities. It was on the basis of this clear disconnect that efforts have been made to provide support to the Committee Clerks directly working with the MPs given that the Parliamentary staffers are effectively the "Institution of Parliament" and often remain in post for many years. The training conducted for the Committee Clerks and Research Officers last autumn was helpful in taking the first steps towards helping the Parliamentary staffers to gain a greater degree of confidence in their overall abilities and importance within the Parliament. The detailed report arising from that training is attached at Annex F.

ACTIVITIES FOR THE NEXT QUARTER

The arrival of the new Clerk to Parliament should serve to usher in a new era, insofar as the Clerk has indicated that he is very committed to continuous professional development activities especially for the staff since they are a permanent fixture in Parliament. Therefore discussions will get underway on how to help in that regard. As the elections approach, the staffers will begin to notice a likely reduction in the level of support required of them so the idea of helping to build the staffers overall confidence during the lull once Parliament is on Recess, is under consideration and may involve further thought about the recommendations contained in the report from the October 2004 training. There have also been some initial contacts with the Indian Parliament - Lok Sabha Secretariat in India which provides free training on Parliamentary practices. However these events are only programmed to take place in October/November 2005 which is not practical given the installation of the new Parliament. As a first step, an assessment of the content of the existing Lok Sabha internship in order to determine whether it would be helpful to the Tanzanian staffers will be made. Thereafter further discussions will also try to consider the possibility of a bespoke training program being devised by the Lok Sabha for the Tanzanian staffers.

Development of a best practice guide on effective Committee operations

Workplan Activity 2.1

C. The work in this area is to create a "Resource Manual" for each of the Parliamentary Committees. This will act as both an institutional memory of the most recent Committee deliberations but also as a means of helping the MPs understand the portfolio for which they have responsibility. In addition it will also provide useful contact details for CSOs who can provide advice and information to the Committee. The initial first draft is attached at Annex G. Further work to refine and design the format of the manuals to ensure maximum usage is progressing well. The Manuals will be especially relevant for the new Parliamentarians post

October 2005. One rather worrying issue is that the Parliamentary Committee on Defence and Security also has responsibility for Home Affairs which is a vast portfolio which encompasses such things as immigration, refugees etc and therefore the advice has been sought from the Clerk to Parliament on the basis that a Resource Manual is needed for the Home Affairs issues discussed within the Committee. A response is awaited.

ACTIVITIES FOR THE NEXT QUARTER

Work to finish the compilation of the Manuals is ongoing and is on target for completion by the end of the current contract. The matter about the need to include some information relative to home affairs issues in Tanzania which are dealt with by the closed Committee on Defence & Security has been raised with the Clerk to Parliament and a response is awaited.

Standing Orders

Workplan Activity 2.2

A. The comparative analysis is now with Parliament seeking their approval to proceed to design a workshop to discuss some of the contentious issues identified within the Standing Orders/Rules review with the overall aim of trying to get some, if not all of the changes adopted during the life of the current Parliament. However it is important to bear in mind that the issue of adopting proposed amendments to the Rules is entirely a matter for Parliament. The best judgment is that this matter will not in fact be taken forward in the current Parliament but the groundwork that has been undertaken so this not abortive work since it will provide a solid foundation for the new Parliament who will be confronted with the existing Standing Orders and with the help of the comparative analysis can inform the discussions once the new Parliament is sworn in. The belief is that the Speaker, who chairs the Standing Orders Committee, will seek to prevaricate at this stage and recommend that the matter is best left for the new Parliament to consider.

ACTIVITIES FOR THE NEXT QUARTER

In abeyance until Parliament responds.

Increase access to research materials and services

Workplan Activity 2.4

A. As previously reported the Parliamentary Research Service comprises of just three Officers who are both inexperienced in Parliamentary matters and have received no clear mandate about their role within the Parliament in terms of the provision of support and services to the Parliamentarians. This could be a deliberate policy adopted by the Speaker who is reluctant for Parliamentarians to have real and detailed research information provided to them. The Speaker feels that it is more appropriate for the MPs to gather the information themselves which presupposes that all Parliamentarians are fully trained and equipped to carry out such work, which is not usually the case. The proposal to introduce a formal research request form and a procedures manual remain in abeyance within the Parliament but the appointment of the new Clerk provides an excellent opportunity to revisit the provision of research services within the Parliament. What is abundantly clear is that the Parliament has no formal links with any of the well known sources of research and information in Tanzania such the University of Dar es Salaam, REPOA, ESRF or those CSOs who routinely publish research reports.

ACTIVITIES FOR THE NEXT QUARTER

Discussions are due to be held between Parliament and the Project team to agree the next steps in terms of seeking to open up formal lines of communication.

RESULT THREE: ENHANCED MANAGEMENT AND ADMINISTRATION: INCREASED QUALITY AND EFFICIENCY OF SERVICE DELIVERY TO ALL MEMBERS BY PARLIAMENTARY ADMINISTRATIVE SERVICES UNITS;

Consider the establishment of a training unit for new MPs & staff.

Workplan Activity 3.3:

Despite the best efforts of the staff at Clerk to Parliament level in the EA countries to draw together the draft Memorandum of Understanding (MOU) for the East Africa Parliamentary Institute (EAPI) which would formalize a relationship at Parliamentary level amongst the East African Parliaments, little progress has been made within the overall objective of building up a spirit de corps in East Africa at Speaker level. The draft MOU dealt with the core issues associated with the formation of the EAPI and included details about the likely costs of the Institute. Whilst discussions at Clerk level have been very positive it became clear that this was not necessarily the case at Speaker level. It was suggested that on the basis that Tanzania, unlike its other East African neighbors is a member of the SADC Parliamentary Forum that that membership might undermine the need for Tanzania to join the EAPI. Therefore in order to strive to keep the idea of the EAPI alive and to lead to its formal creation, further work to modify the draft MOU by including an effective right of veto for Tanzania was undertaken by the project team. Further work to explore and confirm the services available within SADC PF has revealed that there are effectively no training events designed specifically for Parliamentary staffers which is not surprising given the disparities between the different SADC Members in terms of the differing shape of their legislatures.

ACTIVITIES FOR THE NEXT QUARTER

The newly appointed Clerk to Parliament will undoubtedly have a view on these matters and it will be important to provide him with adequate background briefing so he can advise on the best next steps. The issue of the EAPI now seems to be moribund at Speaker level and therefore the respective SUNY teams in Kenya and Tanzania will try to break this log-jam through supporting the respective Clerks to help them brief their respective Speaker's.

RESULT FOUR: MORE EFFECTIVE OVERSIGHT: INCREASED LEGISLATIVE CAPACITY TO MONITOR PUBLIC EXPENDITURE AND OVERSEE IMPLEMENTATION OF THE POVERTY REDUCTION STRATEGY.

Enhance Parliaments budgetary analysis capability.

Workplan Activity 4.1.B.

A. Although there were training events rolled out last year to help the "money" Committees to get a better level of understanding about public sector finance and budgetary analysis skills, it is clear that further work is required in this area. Specific issues are Parliament's role in the overall budget cycle and how best the Parliament can have an entry point early enough in the process to enable them make meaningful contributions to the formulation of the budgets. As with last year the Ministry of Finance have prepared the Budget Guidelines and as with last year, the Ministry has posted the Guidelines onto the Government website but has inadequate funds to enable the documents to be printed and distributed to all MPs. Work is therefore underway for these to be reproduced ready for distribution to all MPs prior to the March 2005 Committee Sessions. Annex H refers. One of the major changes in this years Budget Guidelines which may cause some consternation amongst the MPs is that the budgets are all now formulated based upon the National Strategy for Growth and Reduction of Poverty (NSGRP) which has not yet been formally presented to the Parliamentarians which is liable to effectively "bamboozle" the MPs at a time when they need to be able to identify projected expenditure/resource allocations but the budgets within MDAs are now going to be defined as

NSGRP and non-NSGRP clusters. The NSGRP will be formed into three clusters: growth & reduction of income poverty, quality of life and social well being and governance and accountability. Whilst this clearly will result, over time, in more joined up thinking between a variety of National policies and frameworks, it does pose real problems for the MPs. Such matters are being raised by the Project team with the Ministry of Finance to see whether some additional briefing can be given to the Parliamentarians. As previously mentioned the Parliamentary Committee Chairperson for Finance & Economic Affairs sought the Project's assistance to develop a concept paper outlining the skills shortage the Committee has in terms of having access to independent, impartial advice. That request culminated in the development of a concept paper to propose the creation of an "Analytical Support Office (ASO)" as an independent think-tank for the Committee. In the absence of any formal response to the Committee Chairperson, the Project intends to meet with the IMF, the original recipient of the concept paper to see what the reaction to the request is. IMF have intimated that they would not be able to support the request with funding but believe that the ASO concept has significant merit and as a first stage wants to open up a dialogue with other development partners to assess the likely reaction to the proposal and how best and when the Committee could be assisted.

ACTIVITIES FOR THE NEXT QUARTER

Discussions are underway with the Ministry of Finance in order to see whether they would be willing to provide some further detailed briefing to the Parliamentarians about the background and genesis of the National Strategy for Growth and Reduction of Poverty (NSGRP). Meetings amongst the development partners to discuss the merits of the "Analytical Support Office (ASO)" issue are also planned.

Design briefing sessions for MPs on the interface between Parliament & Local Councils vis decentralization

E. Following the skills enhancement seminar for the Members of the Parliamentary Committee dealing with Local Authorities Accounts Committee (LAAC) and Public Accounts Committee (PAC) work has commenced to try and strengthen the relationship between Parliament and Presidents Office- Regional Administration and Local Government (PO-RALG) since the training revealed that many of the MPs did not understand the decentralization process and their relationship particularly in the context of disbursement of funds and allocations.

ACTIVITIES FOR THE NEXT QUARTER

Following repeated and concerted efforts to try and forge a formal working relationship between the Project and the PO-RALG over the past six months a meeting has now been agreed and the details and outcomes of that meeting will be included in the next QMR.

Develop a workshop on anti-corruption/fraud avoidance in the Public Sector

G. The counter proposal to devise a much shorter and succinct anti-corruption symposium event, seems to have been accepted by Parliament and APNAC but clarification is still required on the actual timing and handling of the proposed event.

ACTIVITIES FOR THE NEXT QUARTER

In abeyance until Parliament allow the activity to proceed.

Creation of a Panel of x5 budgetary experts who can be called upon to help MPs examine and assess draft estimates.

H. The Advisory Panel concept has been running successfully as a pilot activity for almost a year. Rather disappointingly some of the Panel Members (the academics from UDSM) opted to tender their resignation because they saw their membership of the Panel as being the

opportunity to seek exorbitant consultancy fees. The core of the Panel has no such issues or problems with continuing their engagement within the Panel and the Parliamentary Committee. Replacement Members for the Panel are under consideration and these changes will also provide an opportunity to broaden the scope of the Panel through the inclusion of a representative from the private sector – the Confederation of Tanzania Industries (CTI) which should further enhance the Panel contributions during the forthcoming budget discussions.

ACTIVITIES FOR THE NEXT QUARTER

The Committee Chairperson has confirmed that he would wish to have the Panel on hand to provide assistance and briefing to the Committee as it considers the forthcoming National Budget in May 2005.

Politicians of the Future program

Workplan Activity 4.2

A. Cross-cutting gender considerations

The impact assessment assignment of the Politicians of the Future (POF) program completed at the end of 2004 provided the opportunity to judge the feasibility of broadening the scope of the POF program and also to consider the likely sustainability of the program by the Parliament. The issue of funding for any future iterations of the program is still a matter for further discussions. However British Council have confirmed that the funding for POF ends at the end of March 2005 and there are no plans for further substantial investment in this area in the foreseeable future. Therefore any follow-on hybrid POF program could form a very useful adjunct to any future support to Parliament. In fact many of the training needs identified in the POF impact assessment carried out late in December 2004 could easily be linked to the core components of the East African Parliamentary Institute (EAPI) or the SADC Parliamentary Forum initiatives.

ACTIVITIES FOR THE NEXT QUARTER

The impact assessment report has been submitted to Parliament but it has to be seen in the context that the forthcoming General Election will serve as a distraction but that need not prevent preparatory work to devise a suite of training outlines to be prepared in consultation with the Parliament.

3.3: Relationships with other donors/organizations in Tanzania/ establishment of relationships with other organizations.

The Project team always seeks to coordinate its activities with other donor organizations and non-governmental organizations involved in programs with the Parliament such as the Canadian Parliamentary Center, IMF/World Bank and the University of Dar es Salaam to ensure there is no duplication of technical assistance activities into the Parliament but also to help put the issue of the provision of information into the Parliament as an integral part of technical assistance provision in Tanzania.

- **Association of European Parliamentarians for Africa (AWEPA):** AWEPA summarized their work in Africa; until 2003 AWEPA had a sub office within the Tanzanian Parliament but when the funding ended that office closed. AWEPA have good relationships with the Kenyan, Ugandan Parliaments as well as the East Africa Legislative Assembly and have recently received funding to carry out some activities in Somalia and Liberia. AWEPA receives its funding from a variety of sources but mainly the European Union and the Nordic countries. AWEPA was meeting with the Tanzanian Women Parliamentarians Group (TWPG) to discuss HIV/AIDS issues in Tanzania and the role of TAPAC. AWEPA were not aware that TAPAC have already received substantial support from another USAID contractor, the Policy Project since 2002 and that this would need to be explored further with the Resident Representative to avoid any duplication of effort and

wasted resources. In fact through this meeting the potential clash/repetition was identified in that the dates proposed by TWPG/TAPAC and UNAIDS would result in four days training on precisely the same sorts of topics. Therefore through the Project's involvement, the potential duplication of effort and resources were avoided which suited both development partners and indeed the majority of the Members of Parliament. A report summarizing the topics covered in the training is attached at Annex J.

- **Georgetown University Law Center:** These representatives visited the Project office in March 2005 to discuss their program of capacity building with the Women Legal Aid Centre (WLAC) and wanted to explore the possibility of collaborating with the Project to gain access to Parliament. On an annual basis Georgetown sends across about x8 paralegals to help build the capacity of WLAC. Whilst Georgetown provides such capacity and help to develop draft legislation and policy briefs it ensures that there is real ownership amongst the organization in this case, WLAC to enhance their overall capacity to effectively lobby on women and human rights issues. This has proved highly successful over the years and WLAC have been able to point to notable successes such as the Inheritance legislation which is under discussion with the Executive. In fact WLAC were one of the exhibitors at the 2004 CSO Exhibition. The discussions also included the possible inclusion of WLAC in the knowledge based power breakfast's initiative. Annex J demonstrates the type of issues WLAC is advocating for.

- **International Republican Institute (IRI):** An IRI fact-finding team was gathering information for the Tanzania Elections 2005 joint civic education donor basket fund and the issues associated with the forthcoming General Election. The particular area of interest was the identification of the level of support provided to the Opposition and some of the obstacles that confront the current Parliament and in particular the fact that there was very little intellectual capacity within the Parliament to help MPs perform their scrutiny role in any real meaningful way. It was agreed to remain in touch for possible future collaborations.

- **World Bank scoping team:** The World Bank had formed a multi-skilled team to undertake an assessment of the overall state of the country and particularly the governance structures especially the Judiciary, the Executive and Parliament and therefore they were keen to try to identify possible opportunities for the World Bank to consider offering assistance. Through the meeting a number of useful resource documents and meetings were organized for the World Bank team to meet with the Parliamentarians. There were discussions on the work of the World Bank Institute (WBI) and the fact that the World Bank was impressed by the overall performance of Tanzania and that it was on this basis that they continued to provide large loans and direct budget support to the GoT.

- **DFID Social Sector Adviser:** Following an email in February 2005 from the DFID Social Sector Adviser a meeting to discuss the overall scope of the Parliamentary program of support and in particular the opportunities to specifically engage the Parliamentarians in debate and discussion on social sector issues was held. The discussions centered on the Education Development Partners Group (EDPG) where there was a real concern that there is no obvious entry point for the EDPG to engage directly with Parliament and that whilst the bulk of Development Partner money was earmarked for DBS (direct budget support) there is an increasing concern that without the Parliamentarians pushing and applying checks and balances that the development partners could not be assured that the money was being put to its greatest advantage. In particular the EDPG was concerned that the Education Reform Program whilst ongoing was stalled because the Ministry of Education was unwilling to release money from the centre rather than disburse it out to the Local Councils. There was also some discussion about the issue of the Millennium Development Goals (MDGs) and in particular the ever rising maternal mortality rates which were falling well below the MDG targets. Further liaison work is therefore required. Indeed it is hoped that in order to coincide with World Health Day on 7 April 2005 that the Project team may, working with some CSOs facilitate the provision

of some briefing on maternal mortality rates to the Women Parliamentarians. There will be further information on this matter in the next QMR.

4. Explanation of any obstacles encountered during

- program implementation and actions taken to address them/summary of lessons learnt.
- explanation of any administrative/financial issues and actions taken to address this.

As previously reported Mr. Speaker is a very dominant force within the Parliament and to a large degree dictates the rate of change within the Parliament. This is not unusual in those Parliaments which are in transition but the forthcoming elections will provide a unique opportunity for the new Members of Parliament to benefit from the legacy of the technical assistance hitherto provided by the Project. Against that backdrop it is important to accept that Parliament's will only ever modernize at their own pace and therefore the issue is that the technical assistance should be sustained to help ensure the modernization process does not lose its focus or become stalled. This will be an important feature which will require inclusion in any future iterations of Parliamentary support in Tanzania.

Specific obstacles within the QMR period include:

- ⇒ **impending General Election:** this now means that more often than not the MPs are very distracted with constituency work and therefore are less willing to attend skills enhancement activities. This is unlikely to diminish over the next few months.
- ⇒ **inadequate briefing of the new Clerk to Parliament:** many of the activities that have been completed to date and therefore the outputs relative to the technical assistance provided into the Parliament, have been held in abeyance pending the formal appointment of the new Clerk to Parliament, Mr. Damian Foka, this has inevitably created a bottle-neck in terms of getting Parliamentary approval which will take some time to clear. However the Project team will be supporting the Clerk to help clear the backlog through the provision of additional briefing.
- ⇒ **Under-resourcing of the Parliamentary Projects Coordinator:** the responsibility for first line communications and liaison for the Project team is through the Parliamentary Projects Co-ordinator and it has become increasingly clear that the absorptive capacity within the Parliament is severely lacking and this can often result in criticisms being directed that the Project team have failed to communicate adequately at Parliamentary Service Director level. This is despite the fact that there are detailed discussions and agreements reached on the modalities associated with all of the Workplan activities. This matter remains a challenge and will form an integral part of the work to help support the Clerk to Parliament.
- ⇒ **Parliamentary staff perceptions about the Project:** whilst intrinsically linked to the under resourcing of the Projects Coordinator, there seems to be an interesting trend at Director level for proposals being submitted direct to the Project team in other words not through the Clerk's Office, for funding activities which on occasion could be seen as a smokescreen to try and obtain additional financial remuneration. When refusals are given because the request does not fit within the context of the agreed Workplan, it is perceived as a sign that the Project is failing to meet its objective to strengthen the Parliament. This clearly creates ill will and an unfair impression of the Project team. This can only be solved with ensuring adequate and direct communications between the Project team and the Clerk take place on a regular and well publicized basis.
- ⇒ **Continuation of engagement with Parliament:** as the end of the current contract draws ever closer there is the potential for a more laissez faire attitude taking hold if it is thought that the Project team is in its "dying" days. Clearly decisions on extensions etc are a matter for USAID and DFID taking account of the issues arising from the external review

but any delays to the decision to extend the current contract with SUNY as the implementer could, if left unresolved, reduce the comparative advantages that both USAID and DFID have as the only donors with a foothold within the Legislature.

5. Performance indicators/program outputs (including reporting of performance data compared to target and baselines)

ANNEX K refers.

IN QUARTER ACHIEVEMENTS JANUARY- MARCH 2005

RESULT ONE: IMPROVING REPRESENTATION

- 1.1 CONSTITUENCY LEVEL PUBLIC HEARINGS ON PARLIAMENTARY BILLS
SUPPORTED THE PARLIAMENTARY COMMITTEE ON CONSTITUTIONAL, LEGAL AND PUBLIC ADMINISTRATION TO CONDUCT PUBLIC HEARINGS IN Tabora, Arusha, Morogoro, Mwanza AND ZANZIBAR IN JANUARY 2005 ON THE 14TH CONSTITUTIONAL AMENDMENT BILL 2004. THE WORK TO DESIGN THE "HOW TO MANAGE A TRAINING WORKSHOP" USED THE EXERCISE AS A CASE STUDY HAS NOW BEEN RECEIVED AND IS BEING EVALUATED ABOUT THE NEXT STEPS.
- 1.2 INCREASE ACCESS TO PARLIAMENT BY CIVIL SOCIETY ORGANIZATIONS IN KEY SECTORS HEALTH, EDUCATION, NATURAL RESOURCES MANAGEMENT & PRIVATE SECTOR DEVELOPMENT.
- 1.3 Assessment of the current roles/relationships between Parliament and CSOs
- 1.4 Concept paper on the role, responsibilities of the CSO Parliament Liaison Officer drafted and now being circulated amongst larger CSOs seeking their general views.
- 1.5 PREPARATIONS FOR THE INTRODUCTION OF "WORKING BASED POWER BREAKFASTS" UNDERWAY TARGET AUDIENCE ARE THE PARLIAMENTARY COMMITTEE CHAIRPERSONS. FIRST EVENT IS ON "TRAPPINGS IN PERSONS" WITH TAMMIA AS THE PRESENTER.
- 1.6 ENHANCE PARLIAMENT'S OUTREACH ACTIVITIES
- 1.6.1 A "GUIDE TO PARLIAMENT" IS SHORTLY TO BE PUBLISHED ONCE APPROVED BY THE SPEAKER.
- 1.6.2 YOUTH PARLIAMENT HELD IN MARCH 2005 WITH FUNDS FROM UNDP. DISCUSSION WITH THE PARLIAMENTARY CIVIC EDUCATION TEAM REQUIRED TO ESTABLISH WHAT THEY ARE DOING.
- 1.6.3 Review & enhancement of the Parliamentary website
- 1.7 WORK TO IDENTIFY THE REAL COSTS AND SUSTAINABILITY OF THE CREATION OF A WIDE AND LOCAL AREA NETWORK IS UNDERWAY. MULTIPLE USER REQUIREMENT ASSIGNMENT DUE TO BE COMPLETED BY MARCH 2005 RELATIVE TO THE WORKPLAN THE PRIORITY AREAS ARE THE PARLIAMENTARY STAFFING (COMMITTEE CLERKS AND RESEARCH OFFICERS).

RESULT TWO: MORE EFFECTIVE LEGISLATION

- 2.1 ENHANCING COMMITTEE OPERATIONS
- 2.2 DEVELOPMENT OF THE "PARLIAMENTARY COMMITTEE RESOURCE MANUAL" ON TARGET FOR COMPLETION.
- 2.3 NEED TO ANALYZE CURRENT SYSTEM FOR ALERTING PARLIAMENT TO THE ARRIVAL OF FORTHCOMING LEGISLATION ACTIONS INCLUDE: (1) OPEN UP DISCUSSION WITH THE ATTORNEY GENERAL (2) ESTABLISH THE VERACITY OF A PARLIAMENTARY CALENDAR BEING CREATED DISCUSSIONS BEGINNING WITH LEGAL & CONSTITUTIONAL AND PUBLIC ADMINISTRATION ON HANDLING ISSUES.
- 2.4 INCREASE ACCESS TO RESEARCH MATERIALS & SERVICES
- 2.5 NEW CLERK ANALYSIS IN POST IN JANUARY 2005 AND TEAM HAVE PROPOSED TO FORMALLY REEF HEN ON THE IDEAS FOR THE RESEARCH SERVICE WILL NEED TO BE HELD TO GET HIS VIEWS AND SUPPORT IN ORDER TO TAKE THE REFORMS FORWARD. A INTRODUCTION OF A RESEARCH REQUEST FORM WHICH STAFFERS WILL COMPLETE WILL ENABLE MONITORING TO BE UNDERSTAND ABOUT THE THEMATIC AREAS OF INTEREST TO MP'S. RESEARCH STAFFERS WILL BE REQUIRED TO DESIGN HOW THEIR SOURCES THE RESEARCH IS THROUGH ACCESS TO THE INTERNET ETC. REPORTS WILL BE STORED ONTO FLOPPY DISKS WHICH WILL ENABLE THE INTRODUCTION OF INTERNAL PEER GROUP REVIEWS TO BE COMMENCED. SUCH CHANGES WILL HELP TO CREATE AN INSTITUTIONAL MEMORY WITHIN THE PARLIAMENT OF INFORMATION SAVERS FOR MEMBERS OF PARLIAMENT.

RESULT THREE ENHANCED MANAGEMENT & ADMINISTRATION

- 3.1 INTERNSHIP PROGRAM
- 3.2 CHANGING IDEAS FOR POSITION ON THE AVAIL OF ACADEMIC CREDITS FOR ANY FUTURE ITERATIONS OF THE PARLIAMENTARY INTERNSHIP PROGRAM. DEVELOPMENT OF A "PARLIAMENTARY INTERNSHIP HANDBOOK" TO INSTITUTIONALIZE THE IDEA OF THE INTERNSHIP PROGRAM WITHIN THE PARLIAMENT.
- 3.3 In light of the work underway within the SAPE (East African Parliamentary Institute) consider whether the creation of a central trading unit within Parliament is feasible/approved by Parliament. THE IMPACT OF TANZANIA'S MEMBERSHIP OF SAPE MAY BE AN ISSUE IN THE LIKELY TAKE UP OF TANZANIA FOR SAPE SPONSORED ACTIVITIES AND ALSO THE LIKELIHOOD OF TANZANIA BEING ABLE TO SUSTAIN AS FINANCIAL CONTRIBUTIONS. DRAFT ADDENDUM TO THE MOU PREPARED AND SUBMITTED FOR CONSIDERATION BY PARLIAMENT. WORK WITHIN THE PEP REVIEW TO IDENTIFY THE SOME TRAINING NEEDS OF THE PARLIAMENTARIANS WILL USUALLY FIT WITHIN THE CONTEXT OF THE SAPE CONCEPT. SA PARLIAMENTS PROPOSE TO USE THE SAPE AS THE REPOSITORY FOR INFORMATION SHARING AND SKILLS DEVELOPMENT. THE INITIATIVE IS BEING TAKEN FORWARD AT SPEAKER AND CLERK TO PARLIAMENT LEVEL AND THERE IS ONGOING PROGRESS SUPPORT REQUIRED.

RESULT FOUR: MORE EFFECTIVE OVERSIGHT

- 4.1 AMPLIFY THE ROLE OF PARLIAMENT IN THE NATIONAL BUDGET PROCESS & PUBLIC EXPENDITURE
- 4.2 REPORT ON INFORMATION FLOW INTO THE PARLIAMENTARY COMMITTEE ON FINANCE & ECONOMIC AFFAIRS COMPLETED NEW BUDGET GUIDELINES AND FORMS TO BE USED FOR THE PERIOD 2005 THROUGH TO 2006 PRINTED FOR DISTRIBUTION TO ALL MEMBERS OF PARLIAMENT FOR THE APRIL 2005 SESSION COPIES OF THE REPORT DOCUMENT COPIES TO ALL PARLIAMENTARY COMMITTEE CHAIRPERSONS.
- 4.3 TRYING TO IDENTIFY A SUITABLY QUALIFIED INDIVIDUAL TO REEF THE MP ON THE DETAILED BACKGROUND OF THE BUDGET PLAN
- 4.4 FOLLOWING AN APPROACH BY THE PARLIAMENTARY COMMITTEE CHAIRPERSON FROM SUDAN PREPARED A CONCEPT PAPER FOR SUBMISSION TO THE IMF TO ESTABLISH AN ANALYTICAL SUPPORT OFFICE (ASO) WHICH WOULD PROVIDE HIGH QUALITY, INDEPENDENT SUPPORT TO THE COMMITTEE. IMF HAVE ISSUED THE CONCEPT PAPER TO OTHER DEVELOPMENT PARTNERS SEEKING THEIR COMMENTS TO THE CONCEPT. OPEN TO IMF AND GOVT TO CALL BIDDERS TOGETHER TO DESIGN THE CONCEPT PAPER.
- 4.5 FORMAL CONTACT WITH THE PE-LEAP ORGANISED TO HELP COMPREHENSIVELY REEF THE MP ON THE IMPACT AND ISSUES ASSOCIATED WITH THE LOCAL GOVERNMENT REFORM PROGRAM
- 4.6 GIVEN THAT MP'S ARE NOT FULLY INVOLVED IN THE BUDGET CYCLE THERE IS GREAT NEED TO HELP PROVIDE CUES TO MP'S ON HANDING ACCESS TO SUBSTANTIVE INFORMATION LEADS TO EXPERTS EXPERTS TO INVOLVE MP'S TO MONITOR WHETHER STATED CENTRAL PRIORITIES SUCH AS HEALTH AND EDUCATION ARE BEING MET.
- 4.7 ANTI-CORRUPTION CONVENTIONS UNDER DEVELOPMENT BUT TAKING SHAPES AN ISSUE.
- 4.8 NEW PANEL MEMBERS APPOINTED AND NOW INCLUDES A REPRESENTATIVE FROM THE CONFEDEATION OF TANZANIA BUSINESSES
- 4.9 POLYTHEMANS OF THE FUTURE PROGRAM
- 4.10 THE FINDINGS FROM THE IMPACT ASSESSMENT WILL BE COMPILED INTO A DRAFT CONCEPT PAPER FOR THE POSSIBLE FURTHER FUNDING OF A PEP PROGRAM PHASE 2 POST MARCH-2006. MANY OF THE ISSUES WILL ALSO NEED TO BE APPROPRIATELY FEATURED WITHIN THE PARLIAMENTARY ORIENTATION PROGRAM WHICH WILL BE REQUIRED TO BE DESIGNED AND DELIVERED SHORTLY AFTER THE INauguration OF THE NEW PARLIAMENT IN NOVEMBER 2005.

RUNY/TANZANIA TECHNICAL ASSISTANCE FOR THE STRENGTHENING OF TANZANIA'S UNION NATIONAL ASSEMBLY

	OVERALL PROGRESS 7th QUARTER - MARCH 2004	ORIGINAL TARGET COMPLETION DATE	ACTIVITY SUPPORTING DESCRIPTORS	COMPLETION DATE
1.1	RESULT ONE: IMPROVING REPRESENTATION			
	IMPROVING MEMBER-CONSTITUENT RELATIONS			
A	Develop/review relationships between MPs & constituents	DECEMBER 2003 - JANUARY 2004	Two teams were sent to conduct the surveys in a base sample in Dar es Salaam, Morogoro, Coast Region, Dodoma, Shinyanga & Shamba in January 2004.	Jan-04
B	Design an anti-corruption Action Plan to include constituent relations followed by public hearings on specific MPs.	DECEMBER 2003 - JANUARY 2004	Action plan designed as an integral part of the anti-corruption exercise.	Jan-04
C	Day long seminars/workshops for MPs on the role of an MP & the interface issues associated with constituents, NGOs and the Executive. Workshops will focus on building constituent relations around national resources management, HIV prevention & women enterprise development.	JANUARY 2004 - FEBRUARY 2004	3 day workshop held for all MPs i.e. those whose constituencies used as the pilot exercise to assess the viability of conducting public hearings at the local level. Regions were Shinyanga Mt constituency, Shinyanga Plains constituency, Shinyanga region Shinyanga North constituency and Morogoro Region Tunduru constituency.	APRIL-JULY 2004
D	Training MPs about their relationship with the Local Councils which relate development issues with them that can be incorporated into their lobbying when considering the priorities within the National Budget.	Nov-04	AGREED TO WITH A.L.D. - MOROGORO AREA FORUM - CIVIC OVERSIGHT	Nov-04
E	Field trips to be organized to selected constituencies with MPs to put into practice the lessons learned from the workshops	JANUARY 2004 - FEBRUARY 2004	FIELD TRIPS HELD IN MOROGORO	APRIL-JULY 2004
1.2	CONSTITUENCY LEVEL PUBLIC HEARINGS ON PARLIAMENTARY BILLS			
A	Develop training program to include defining the agenda, holding expert testimony, press relations, organizational techniques and incorporating civil society into the process. Separate events for the MPs and the Constituents (clubs, development of training materials including video)	JANUARY - FEBRUARY 2004	12 day workshop held for all MPs and the MPs constituencies were then used a pilot to test the level of understanding of the of the public hearings training rolled out in April 2004. From the training and the case study experience gained through the pilot exercise it was clear further work was required to address the Speaker anticipated that all public hearings support must be directed to the Parliamentary Committee and not individual MPs. Therefore phase 2 was reframed to provide institutional support to the Constituents using the public hearings in the 14th Constitutional Amendment Bill in January 2004 as the basis for a situational analysis of the capability within the Constituents to run public hearings. The training tool and manual will be the reasonable output of the exercise.	APR-04
B	Conduct all workshops to enable MPs to understand and disseminate on the public hearings activities	JANUARY - FEBRUARY 2004	8 day workshop held for all MPs and the MPs constituencies were then used a pilot to test the level of understanding of the of the public hearings training rolled out in April 2004.	APRIL-JULY 2004
C	Building on public hearings initiatives where expert testimony, testimonies on specific MPs, social welfare, environment, women & NGOs.	JANUARY - FEBRUARY 2004	Workshops and discussion capacity within the Parliament, CONSTITUENTS RELATIVE TO BILLS LAID ON THE TABLE	APRIL-JULY 2004
1.3	INCREASE ACCESS TO PARLIAMENT BY CIVIL SOCIETY ORGANIZATIONS IN KEY SECTORS HEALTH, EDUCATION, NATURAL RESOURCES MANAGEMENT & RURAL INFRASTRUCTURE DEVELOPMENT			
A	Reaffirm the role of the CSO-Parliament liaison offices to be assigned to MP/MPs	DECEMBER 2003-APRIL 2004	ROLE REAFFIRMED AND OPEN ENROLLMENT PROCEDURES ESTABLISHED. NGOs participating in the 660 Sub-committee 2004 convened to assess the importance & added value of the role of the CSOs. What was clear was that there is no real connectivity with civil society to the role of the CSOs. Therefore a concept paper has been designed which defines the scope of the role of the CSOs and responsibilities which will be allocated to NGOs and the UNR NGO Association Ltd to assess their status as the role of the CSOs.	Apr-04
B	Appointment of the CSO-Parliament liaison offices	Jan-04	660 PARLIAMENT LIAISON OFFICES APPOINTED DECEMBER 2003 THROUGH A Bidding PROCESS WITH UNIT 7/2003/04	
1.4	Assessment of the current role/relationships between Parliament and NGOs			
A	Reaffirmation of NGOs to Parliamentary involvement & helping them understand the work of an MP	Feb-04	MULTI PARTIED STRATEGY TO ENGAGE CIVIL SOCIETY MORE EFFECTIVELY INTO THE LEGISLATIVE PROCESS AND ADDRESSING OF 3 LEVELS: (1) LEVEL: (4) 660 COMMITTEE (2) 660 COMMITTEE AND (3) POINT OF ORDER COMMITTEE. ALL ARE ASSIGNED. All on day long workshops on increasing access to Parliament held in January 2004. Representatives from over 50 NGOs participated. APPROVED 2004 - TWO DAY WORKSHOP BETWEEN A 660 REPRESENTATIVE CHAIRMAN IN DAR ENDED WITH THE LOCAL MPs TO DISCUSS THE SCOPE OF ENGAGEMENT BETWEEN PARLIAMENT AND NGOs. THE NEED TO CONSIDER BEYOND THE USUAL ASSESSMENT OF CONSTITUENT SERVICE DELIVERY. APPROVED 2004 - ONE DAY WORKSHOP HELD FOR THE ALONG FORUM WITH REPRESENTATIVES FROM ALBERT-TUNDURU A 660 SPECIALIZING IN PLACE BUILDING AND CONFLICT RESOLUTION. ALSO AN APPROVAL OF THAT WORKSHOP WAS A REPRESENTATIVE FROM ASSEMBLY INTERNATIONAL. THE ABOVE POINTS DISCUSS THE COMMITTEE REPRESENTATIVE PARTNER ENHANCED TRAINING ON PLACE BUILDING/CONFLICT RESOLUTION. APPROVED 2004 - 10 660 94-LEAD WITH INCLUDING REPRESENTATIVE PARTNER LEADERS WITH REPRESENTATIVE A WORKSHOP TO THE PARLIAMENTARY COMMITTEE ON CONSTITUENT SERVICE DELIVERY. APPROVED 2004 - TANZANIA NATIONAL RESOURCE MANAGEMENT TRAINING THROUGH THE PARLIAMENT TO LEAD THE ASSEMBLY TO CONSIDER A BIDDING PROCESS ABOUT THE CURRENT NEW RESOURCE POLICY.	Jan-04
B	Facilitation of MPs in the 660 environment & helping them understand the valuable role performed by NGOs	Feb-04	10 day long workshops entitled "Environment policy skills" rolled out successfully in February 2004 over 20 MPs attended the training. FOLLOWING THE WORKSHOP MPs REQUESTED THE 660 TO ATTEND A PUBLIC HEARING WITH REPORTERS AND DEFENSE ORGANIZATION ON A BILL LAID. THE ABOVE WAS HELD SUCCESSFULLY. APPROVED 2004.	Feb-04
C	Seeking to identify common areas of interest where MPs & NGOs can effectively collaborate (health, education, natural resource management & urban center development)	Feb-04	WORKING PLAN TO LEGISLATIVE MATERIAL. "ENVIRONMENTAL AND RURAL INFRASTRUCTURE" INITIATIVE TO BE LAUNCHED IN APRIL 2004. ORIGINAL COMMITTEE OF PARLIAMENT APPROVAL WAS OBTAINED BY THE RECORD IN NOVEMBER 2004 WHICH INITIATED IN THE 660.	APR-04
D	Joint Parliament-NGO Assembly workshops (at least one) to strengthen capacity of existing and emerging NGOs/CSOs on a regular basis	Feb-04	ONE TRAINING WORKSHOP ON RURAL INFRASTRUCTURE AND THE IMPORTANCE OF THE 660. THE ABOVE WORKSHOP DID NOT TAKE PLACE AS PLANNED IN AUGUST 2004 HOWEVER THE 660 EVENTUALLY HELD THE THIS ACTIVITY COMPLETED IN A SEPARATE BUDGET.	APR-04
1.5	CSO SUBCOMMITTEE 2004			
A	Approve a 660-Parliament Sub-committee in Dodoma to extend with the role Parliamentary during in Dar August 2004	Apr-04	When the long Parliamentary session (from August) it is agreed that the Sub-committee will be held in Dar to examine the performance of all NGOs involved in projects in the area. A 660 Sub-committee in the 660 660 Sub-committee in Dodoma.	APR-04

	OVERALL PROGRAMS FOR QUARTER - MARCH 2004	ORIGINAL TARGET COMPLETION DATE	ACTIVITY SUPPORTING DESCRIPTIONS	COMPLETION DATE
14	FINANCE PARLIAMENT'S OUTREACH ACTIVITIES			
1	Conduct a needs assessment & define an Action Plan on the Parliament's Public Information Department, if approved then	FEBRUARY - MARCH 2004	Assignment undertaken by a staff person from completion of all UN House of Commons reports and a local Toronto network specialist. Assignment looked toward to business to assist the Public Information Office, Report Ratings and recommendations submitted into Parliament's website in all writing.	2004 IN ADVANCE WITHIN PARLIAMENT
2	Identify building capacity for Public Information Unit staff	FEBRUARY - MARCH 2004	Assign, Review and recommendations submitted into Parliament's assessment is still pending	IN ADVANCE WITHIN PARLIAMENT
3	Development of new outreach materials (Allowing time for testing case)	FEBRUARY - MARCH 2004	Assign, Review and recommendations submitted into Parliament's assessment is still pending	IN ADVANCE WITHIN PARLIAMENT
4	Development of "keep the treasury" program & modify to cover other leaders & plus education leaders	FEBRUARY - MARCH 2004	Assign, Review and recommendations submitted into Parliament's assessment is still pending	IN ADVANCE WITHIN PARLIAMENT
5	Launch of new, improved range of outreach tools (Handout & Budget)	FEBRUARY - MARCH 2004	Assign, Review and recommendations submitted into Parliament's assessment is still pending	IN ADVANCE WITHIN PARLIAMENT
142	Development of Indigenous Youth program in easy competition, Parliamentary tours etc	FEBRUARY - MARCH 2004	Assign, Review and recommendations submitted into Parliament's assessment is still pending	IN ADVANCE WITHIN PARLIAMENT
6	Consideration of the establishment of a "youth parliament" based on other African experiences/structures	FEBRUARY - MARCH 2004	IN DECEMBER 2003, THE PROJECT WAS APPROVED BY WHITBY'S COUNCIL AND HAS BEEN WORKING WITH THE YOUNG PEOPLE'S YOUTH TO FACILITATE A MEETING BETWEEN THE LOCAL COUNCIL AND THE YOUTH GROUP TO TRY TO DEMYSTIFY THE ROLE OF AN MP AND THE RELATIONSHIP WITH THE YOUTH THAT MEETING CREATED A FORUM FOR DISCUSSION WHICH WILL BE EXPLORED THROUGH THE LOCAL COUNCIL YOUTH REPRESENTATIVE. MARCH 2004 - LINDA PLANNED A ONE DAY YOUTH PARLIAMENT	ACTION TAKEN WITH LINDA SUPPORT PLANNING
143	Review of BLADE News and clarification on the role of the member to its target audience	FEBRUARY - MARCH 2004	Report Ratings and recommendations submitted into Parliament's response is still pending. LAST SECTION OF BLADE NEWS 2003 PUBLICATION (ISSUE WHICH FROM PUBLICATION PLANNING SHOWS COSTS TO DISSEMINATE IN THE STYLE THAT THE PARLIAMENT WOULD BE FAVORABLE.	IN ADVANCE WITHIN PARLIAMENT
7	Identify ways by which to amplify readability of BLADE News through innovation	FEBRUARY - MARCH 2004	Report Ratings and recommendations submitted into Parliament's response is still pending. LAST SECTION OF BLADE NEWS 2003 PUBLICATION (ISSUE WHICH FROM PUBLICATION PLANNING SHOWS COSTS TO DISSEMINATE IN THE STYLE THAT THE PARLIAMENT WOULD BE FAVORABLE.	IN ADVANCE WITHIN PARLIAMENT
144	Review & enhancement of the Parliamentary website			
8	Consideration of the scope/coverage of POLIS	2004	LINDA HAS FORMALLY LAUNCHED THE POLIS WEBSITE AND HAS INDICATED THAT THEY WOULD LIKE OTHER DEPARTMENTS TO PROVIDE FEEDBACK TO SUPPORT/ENHANCE THE SCOPE OF THE POLIS. PROBLEMS IDENTIFIED IN BOGORA IN THAT NO LOCAL AREA NETWORK EXISTED TO ENABLE THE COMMITTEE MEMBERS AND RESEARCH OFFICERS TO BE ABLE TO SHARE THEIR INFORMATION AND ACCESS THE INTERNET. LINDA ADVISED THAT THE BUDGETING/PLANNING COSTS ARE IN EXCESS OF \$20K. THERE ARE INSUFFICIENT RESOURCES IN THE LOCAL AREA ALLOCATION SO LINDA PROVIDED RESOURCES FOR AN INDEPENDENT ASSESSMENT TO BE CARRIED OUT BY ONE OF THE INFORMATION TECHNOLOGY SPECIALISTS FROM LINDA'S/DEPT. UNEMPLOYMENT ASSESSMENT COMPLETED IN EARLY MARCH AND REPORT SUBMITTED TO PARLIAMENT IN APRIL 2004.	IN ADVANCE WITHIN PARLIAMENT
9	Review of the current Parliamentary website	2004	INDEPENDENT ASSESSMENT OF PARLIAMENTARY WEBSITE COMPLETED AND INDICATES THAT IMPROVEMENTS ARE POSSIBLE HOWEVER PARLIAMENT IS PROVIDING SUPPORT IN THIS AREA PROVIDED BY LINDA. INITIAL BUDGET ASSESSMENT SUGGESTED THAT BUDGETING/PLANNING COSTS ARE IN EXCESS OF \$20K. THERE ARE INSUFFICIENT RESOURCES IN THE LOCAL AREA ALLOCATION SO LINDA PROVIDED RESOURCES FOR AN INDEPENDENT ASSESSMENT TO BE CARRIED OUT BY ONE OF THE INFORMATION TECHNOLOGY SPECIALISTS FROM LINDA'S/DEPT. UNEMPLOYMENT ASSESSMENT COMPLETED IN EARLY MARCH AND REPORT SUBMITTED TO PARLIAMENT IN APRIL 2004.	2004
10	Develop a "viewer" within the website to enable access groups to be accessed	2004	PARLIAMENT CONSIDERING WHETHER THE DEVELOPMENT OF "VIEWER" TO ITS WEBSITE GROUPS WILL BE FEASIBLE.	IN ADVANCE WITHIN PARLIAMENT
	MEET TWO MORE RESPECTIVE LAWMAKERS			
15	FINANCIAL COMPLETION OPERATIONS			
1	Review of Committee operations, Sub-committee, Committee Clerk, Finance Clerk and how to coordinate legislative, research, administrative & operational staff	FEBRUARY - NOVEMBER 2004	WORK WAS PREVIOUSLY CARRIED OUT ON THESE ISSUES BY LINDA AND ISOLATED IN A WORKSHOP FOR COMMITTEE OPERATIONS & COMMITTEE CLERK WHICH WAS HELD IN 2003. THE WORKING GROUP FROM THAT WORKSHOP WERE INCORPORATED INTO THE LINDA REPORT ON PARLIAMENTARY OPERATIONS WHICH WAS SUBMITTED TO THE PARLIAMENTARY SERVICES COMMISSION. THIS LINDA REPORT TO PROPOSE ACTIVITIES INHERENT AREA - FINANCIAL MANAGEMENT AND ADMINISTRATION. OPERATIONAL ANALYSIS UNDERWAY AT START OF THE REPORT INDICATE THE BUDGETARY SUPPORT SERVICES AVAILABLE TO COUNCIL IN TERMS OF PERSONNEL OF RESEARCH SERVICES THEREFORE ATTENTION FOCUSED ON THAT IN THE INITIAL STAGES.	COMMITTEE CLERK TRAINING PROGRAM (OCTOBER/NOVEMBER 2004)
2	Assessment of staff skills etc	Feb-04	Given the pressure with the Parliamentary Services Commission asked us to deliver the budgetary training for Clerk Assistants and Research Officers as Parliamentary practice & procedure and Information Technology to immediately prior to the November 2004 Parliamentary Services Training supported of two competency - IT training delivered by UNIS Computing Centre and a complete Parliamentary skills assessment completed the Parliamentary staff and all UN House of Commons specialists delivered to all Committee Clerk Assistants & Research Officers together with the Deputy Parliamentary Projects Development.	SEPTEMBER/OCTOBER 2004
3	Development of a best practice guide on effective committee operations	Feb-04	To be known as "Parliamentary Committee Resource Manual" each portfolio committee would have a best practice guide to the committee's operation. The concept submitted to the Parliamentary Committee in March 2004 and they duly endorsed the approach. The Resource Manual will include information about the underlying National policies and legislation. It will set the role of the committee into context both within the department and the broader Order program. It will list Committee members, the legislative work undertaken by the Committee. There will be sections on ethics and systems including contact details for the CDO. The Resource Manual will effectively create an institutional memory of Committee deliberations and will provide MPs with both useful information and contacts with the Secretary and the CDO.	2004
4	Targeted consultancy support on specific pieces of legislation	Feb-04	THIS FORMS AN INHERENT PART OF THE PARLIAMENT PLANNING OVER LEAD AREA.	2004
16	STANDING ORDERS			
1	Development of a series of constructive guidelines to assist MPs to use the Standing Orders	FEBRUARY - NOVEMBER 2004	THIS GUIDES TO BE A SIMPLE CONCISE GUIDE Standing Orders are approved at the discretion of each new Parliament in its own Parliament 2004. Therefore the work needs to focus on reviewing the current Standing Orders and to make recommendations through the Standing Committee (which comprises of all Committees (disappointed) who make recommendations on the issues of concern submitted with the Standing Orders through to the Standing Orders Parliamentary Committee. Each of these Committees are chaired by the Speaker. In order to try to meet the challenge the assignment was launched using the Clerk to Parliament, the General Inquiry Officer and a legislative expert to conduct a comparative analysis of the Standing Orders in other Commonwealth countries. However pressure of Parliamentary business delayed the completion of the assigned comparative analysis completed in July 2004. Report recommends the first steps to hold a briefing session for the Standing Committee members to provide them with feedback arising from the analysis and suggestions for the matter to be submitted to the Standing Orders Committee for its consideration.	IN ADVANCE WITHIN PARLIAMENT
2	Comparative analysis study tour of other Parliaments Standing Orders (SLO)	FEBRUARY - NOVEMBER 2004	Parliament declined the idea of a study tour to Uganda but agreed to visit Australia which was declined. The study tour was to see the first African Legislative Assembly in Africa as a possible source to which the MPs could see other Standing Orders in operation. However after further consultation it became clear that the SLO Standing Orders brought with difficulties. Therefore the need to conduct the comparative analysis work was agreed as the best way as the best that any recommendations to amend the current Standing Orders could be made with the cooperation of the new Parliament in November 2004, however still a valid need to be assessed.	IN ADVANCE WITHIN PARLIAMENT
3	Consideration of the impact of the current Standing Orders on committee work	FEBRUARY - NOVEMBER 2004	IN ADVANCE	IN ADVANCE WITHIN PARLIAMENT

OVERALL PROGRAM TO QUARTER - MARCH 2000 SOURCES OF COMMITTEE INFORMATION	GENERAL TARGET COMPLETION DATE	ACTIVITY SUPPORTING DESCRIPTIONS	COMPLETION DATE
Development of an IP-650 Public Policy Report Inventory & abstracts (Item 7 using PMS)	Apr-01	Activity listed to Workshop Activity 5.1.1 also plans that the Vice President's Office and T.650 already produce their own 650 inventories it was judged that the development of a multi-focused Report for the Parliamentary Committee would provide the means for 650s and public policy experts to have their information highlighted into the Parliamentary Committee. The PARLIAMENTARY COMMITTEE RESOURCE MANUAL does seem more prudent than create another directory also from Vice President's Office who is responsible for coordination of all Society initiatives in updating its directory which would require the need for a 650 directory. The manual will effectively create an institutional memory of Committee deliberations and will provide MPs with both policy information and contacts with all Society and Activities etc.	Apr-01
Publication of the T.650 Public Policy Report Inventory - copy 2 using PMS	Apr-01	ACTIVITY SUPPORTED IN THE PARLIAMENTARY COMMITTEE RESOURCE MANUAL	Apr-01
Creation of a panel of public policy experts available to Parliament	Apr-01	LINKS TO BILLY AREA 4 - BETTER OVERSIGHT - Item 6.1.1.1 Advisory Panel concept drafted, submitted and approved by the Chairperson of the Parliamentary Committee on Finance & Economic Affairs (PEFA). The Advisory Panel comprises of the following members with skills ranging from accounting, government, macro economics, service delivery, the private sector and under budgeting. Invited and support Parliament as from May 2004.	Apr-01
Explore the ability of teaching Universities/old career professionals in B.LAW activities	Apr-01	ACTIVITY SUPPORTED IN THE PARLIAMENTARY COMMITTEE RESOURCE MANUAL	Apr-01
Review Parliament's view on the usefulness of the expert panel concept	Apr-01	Drafts prepared in December 2004 and is under consideration within the PEFA	Apr-01
Assess PEFA's capability to enhance the abstracts bill tracking/issue management system & consider the possible impact on Parliamentary driving files	Apr-01	Bill tracking/Issue management already an integral part of the PEFA's functionality but the issue of extended driving time for the Parliament is included within the Standing Orders cooperation analysis work discussed in Item 5.1.1 above.	IN ADVANCE WITHIN PARLIAMENT
INCREASE ACCESS TO RESEARCH MATERIALS & SERVICES			
Review of current Parliamentary Research Services provision & research tools currently available	Feb-04	Review of provision of current Parliamentary Research services completed in March 2004. The review identifies various organizational weaknesses (for example inadequate IT equipment, research tools) within the Parliament and there is urgent need by the Speaker to allow major changes or investment to be completed towards the Parliamentary Research Service. The review recommended the effective re-structuring of the Unit in Parliament. It also recommended the split of the Research Service away from the Library Service and the Research to be managed by the Clerk Department and therefore directly linked into the Clerk's Office. It also prepared in liaison with the parliamentary projects coordinator a "Research Support Plan" and a "Parliamentary Research Framework Document". The review with these recommendations was submitted on a number of occasions to the Clerk to Parliament for his consideration of personal computers use for the Clerk's Activities and all for the Research Officers and all laptop computers applied.	March 2004 IN ADVANCE WITHIN PARLIAMENT
Development of a multi-focused training programme for MPs about the importance of good quality research		SUBMISSION OF THE PARLIAMENTARY LIBRARY REVEALS THAT IT USUALLY OUT OF SYNC WITH THE MOST UP TO DATE PUBLICATIONS BEING THE DAILY NEWSPAPERS. THIS MEANS THAT THE MPs ARE UNABLE TO UTILIZE A WELL STOCKED LIBRARY TO HELP THEM CONSIDER THEIR MEMBERS THEREFORE A NUMBER OF INITIATIVES TO ASSIST THE MPs INCLUDE HELPING 650S TO HAVE ADVANCE NOTICE OF FORTHCOMING BILLS SO THEY CAN PREPARE DETAILED RESEARCH WHICH CAN BE SUBMITTED TO THE COMMITTEES. WORK IS NOW UNDERWAY TO HELP LINK UP MPs IN THE NEW POLICY FORUM TO USE THEIR THEMATIC BILL ANALYSIS TRAINING IN CLOSED SESSION WITH THE COMMITTEES IN ADVANCE OF DETAILED PLANS REVISIONS.	March 2004 IN ADVANCE WITHIN PARLIAMENT
Submissions/purchase additional materials and tools for the Research Unit	Dec-03	Items purchased heavy duty photocopier, X 8 fax machine, all personal computers used for the Clerk's Activities and all for the Research Officers and two laptop computers.	Dec-03
Study tour to well established Parliamentary research units in: Britain, South Africa, India or Uganda	Dec-04	Initial findings were that none the nature of the provision of research services in Parliament was completed, submitted to Parliament and subsequent agreement was reached to introduce systems to monitor the provision of the research services provided to MPs from the next highest they would be a study tour. However the delayed agreement coming out of the Parliament make a study tour experience until there is a working system in place.	IN ADVANCE
Invite Parliament to establish linkages with other research bodies & public service activities in B.LAW for the accessible world.	Apr-04	Ongoing relationship building with a variety of relevant organizations for example BERP & BERP and a variety of 650s as liaisons addressed by LEAD.	Ongoing
BILLY AREA 4 - BETTER OVERSIGHT & ADMINISTRATION			
INSTITUTIONAL DEVELOPMENT WITHIN PARLIAMENT			
Thorough review of the need to develop a holistic Administration Plan in the light of the UNPARMIPA work already undertaken in this area.	Apr-04	GIVEN PREVIOUS BILLY AREA 4 INITIATIVES AND ATTENDING ACTIVITIES UNDER AREA 4 LEAD IN THIS AREA TO REVIEW THE HOLISTIC ADMINISTRATION ISSUES IN PARLIAMENT, IT WAS NO LONGER APPROPRIATE TO CONSIDER FURTHER ENGAGEMENT IN THIS AREA UNTIL AFTER THE NEXT PARLIAMENTARY SESSIONS IS COMPLETED AND FURTHER RECOMMENDATIONS CONSIDERED WITHIN THE LEAD REPORT ISSUED AT THE MEETING OF PARLIAMENTarians AND BY OFFICE BUT ONLY AREA 4 WITH RESEARCH SERVICES FOR THE PARLIAMENTarians IN TERMS OF THEIR ALLOWANCES. THE REVISIONS OF THE ADMINISTRATION AND BY ADVISORY INITIATIVES AND BEST PRACTICE WILL NOT BE RECORDED UNTIL AFTER THE IMPLEMENTATION OF THE NEW PARLIAMENTarians 2004. THEREFORE A ROBUST STATEMENT SUBMITTED TO UNDER RELEVANT REORGANIZATION OF PLANS FROM BILLY AREA 4 INTO BILLY AREA 4 APPROVAL GRANTED IN AUGUST 2004	IN ADVANCE
Subject the review that originates & coordination of a domain conference to launch the holistic Administration Plan	Apr-04	IN ADVANCE	IN ADVANCE
Review management services provided by Parliamentary Services staff	Apr-04	STAFFING PROGRAM MANAGEMENT REVIEW AGREED UNDER AREA 4 INITIATIVES IN NOVEMBER 2004 & RECOMMENDED THAT NO FURTHER ACTIVITIES BE UNDER AREA 4 UNTIL AFTER THE NEXT PARLIAMENTARY SESSIONS. THE AGREEMENT WAS RECOMMENDED THAT MORE ACTIVITIES WITH THE 650S SHOULD BE UNDERTAKEN. ALTHOUGH THE AGREEMENT THAT 650S WILL NOT RETURN TO THE NEW PARLIAMENT IN 2004 BECAUSE THIS PLANS ON TERMS WITH 650S AND THEN THE STAFFING FROM NOVEMBER 2004.	IN ADVANCE
Assessment of the operations & expenses within the existing board of managers	Apr-04	IN ADVANCE	IN ADVANCE
Conduct a needs assessment of an efficient records management system	Apr-04	AS PART OF THE IT NEEDS ASSESSMENT AND IDENTIFICATION OF THE USER REQUIREMENTS, WORK IS UNDERWAY TO ASSESS WHETHER THERE HAVE BEEN SOME GAPS IN PROVIDING A RESPONSE BUT A STAFFING OFFICE WOULD BE A LIBRARY HELPER WHICH MAY BEST THIS REQUEST. ONE REPRESENTATION IS RELATED THIS WILL BE SUBMITTED TO PARLIAMENT FOR THEIR CONSIDERATION LINKS TO ACTIVITY 4.4.4.4.4	Apr-04

ANNEX A

MINI REPORT ON THE PUBLIC HEARINGS ON THE CONSTITUTIONAL AMENDMENT BILL 2004

(FACILITATORS PERSPECTIVE)

The public is aware that the Constitutional Amendment Bill 2004 will be tabled in the Parliament in February 2005. The Parliamentary Committee on Constitutional, Legal and Public Administration in collaboration with SUNY/Tanzania organized five public hearings in Zanzibar, Arusha, Mbeya, Mwanza, and Tabora on 13th and 14th January 2005 with an aim of collecting views/opinions on the Constitution Amendment Bill from the stakeholders. The last public hearing was scheduled to take place in Dar es Salaam on 20th January 2005. Twenty two (x22) MPs from the Constitutional, Legal and Public Administration Committee divided themselves into groups to cover the above- mentioned locations.

The following are observations arising from the Public Hearing events in the five different locations:

1. MEMBERS OF PARLIAMENT (MPs) - PARTICIPATION:

⇒ ARUSHA:

Two (x2) out of three (x3) MPs participated; these were Hon. Athumani Janguo(C/Chairperson) and Hon. Masumbuko Lamwai. The third MP couldn't make it on the first day as he had to travel to Karatu for other business but did not attend on the second day.

⇒ MWANZA:

All Four (x4) MPs participated, these were: Hon. George Lubeleje, Hon. Nimrod Mkono, Hon. Wifred Lwakatare, and Hon. Mwanne Mchemba. Others in attendance were the legal expert from LEAT/TAKWIMU and the Committee Clerk.

⇒ TABORA:

Five (x5) MPs were invited to attend but Hon. Jeremiah Mulyambate and Hon. Raynald Mrope both failed to attend. However the following MPs turned up for the event: Hon. Chief Abdallah Fundikira, Hon. Rosemary Nyerere and Hon. Paschal Degera. Others in attendance included the legal expert from LHRC and the Committee Clerk.

⇒ ZANZIBAR:

All four (x4) MPs attended the event. These included: Hon. Juma Nh'unga, Hon. Ramadhani Khalfani, Hon. Grace Kiwelu and Hon. Khamis Salum Ali. Other attendees included the legal expert from TGNP, a pressman from Daily News Paper (Mr. Mwambene) and the Committee Clerk.

⇒ MBEYA:

Three (x3) out of five (x5) MPs attended the event. These were as follows: Hon. Jenista Mhagama, Hon. Shoka Khamis and Hon. Zahor Khamis. Other attendees included the legal expert from HAKIARDHI and the Committee Clerk. Both Hon. Prof. Jumanne Maghembe and Hon. George Mlawa failed to turn up at the public hearing despite their invitation to attend.

2. STAKEHOLDERS (TURN-UP AND PARTICIPATION):

⇒ ARUSHA:

The public hearing was conducted at Sheikh Amri Abeid Stadium and very few participants managed to attend the event and arrived quite late; this was very much a direct result of poor preparations which were made by the Parliament in collaboration with the Office of Regional Administrative Secretary (RAS). Only a few people had heard the announcements that were being made on the streets about the Public Hearing; about forty (x40) participants attended on the first day; and about thirty (x30) attended on the second day. The office of the Regional Assistant Secretary (RAS) did not make adequate preparations for the event as no invitations were sent to local leaders around town or outside town thus no local leader attended the public

hearing on the first day; more efforts were made on the first day (evening) to spread the word about the Public Hearing in order for the local leaders to attend the following day; nevertheless only a few showed up (only about 3).

Only 4 participants were able to make any meaningful contributions; these were mainly from CSOs. The majority failed to contribute and/or ask questions largely because they were not well informed about the whole event, i.e. the purpose of the meeting and the importance of the whole discussion on the Constitutional Amendment Bill etc. It is important to note that this was the first public hearing to be organized by the Parliament in Arusha; others were afraid to contribute as they were all required by the Chairperson to mention their names and the place they came from; which was intimidating. Some were not motivated to contribute as all the MPs spent so much time defending the changes that are to be made in the Constitution (politics) and for others they were confused as to which document the MPs were referring to during the Bill interpretation (between the two documents they were given) as many had never seen the Constitution before let alone the copy of the Amendment Bill. But most of all, MPs did not consider the educational background of the participants as most of them were either petty traders from the market or street loiterers and therefore were not well versed in public debates and legal language.

⇒ MWANZA:

The attendance of participants for the first day was very poor, they were about thirty eight (x38) participants; the reasons being that people were not well informed about the timing of the event and that there was contradictory information about the venues. And the venues for the public hearing were not specified well in advance.

The number of participants increased to about seventy eight (x78) on the second day. This was mainly due to the announcements made to the public that were undertaken on the first day. It was very unfortunate because most of the participants who came on the first day failed to attend on the second day which limited the scope and quality of the discussions. Participants on this event were mainly actors

from Local Government, Religious leaders, CSOs, leaders from Political Parties and other ordinary citizens.

⇒ TABORA:

The public hearing was conducted over two days at the Tanzania Public Service College. Initially it was planned to be at the Regional Commissioner's Block but advice was given by Hon. Chief Fundikira that not many people would come to the original venue as many people were wary of entering the Regional Commissioner's Office. Hon. Fundikira using his place in society, both as a Chief and a Member of Parliament agreed to organise for the meeting to be held at the College and he even paid for the venue rental hire for one day including paying for the labour charges associated with the people who had to arrange the chairs in the Hall.

On the first day about fifty two (x52) people came and on the second day fifty seven (x57) came. Apart from the lack of adequate preparation on the side of the Parliament, the issue of light refreshments became a real concern to the participants. Strenuous efforts were made to help the participants to understand that the public hearing was neither a seminar nor a training session rather an open meeting to which people would come and go as they wish, but it was felt that this matter was significant enough to require resolution before the second day of the hearing event.

⇒ ZANZIBAR:

People who attended and participated in the public hearing event in Zanzibar was considerable. The participants were divided into two groups; group one participated on the first day, numbered eighty five (x85) stakeholders and the second group comprised of sixty seven (x67) people. Participants (stakeholders) were from different Religions, Political Parties, Civil Society Organizations, organisations representing people with disabilities, Schools and Government sectors.

The Public hearing was conducted at the House of Representatives-Conference Hall. The venue was very conducive since there was air conditioning, comfortable seats and it is also capable of accommodating about hundred (x100) people.

⇒ MBEYA:

On the first day only about twenty (x20) people participated in the event. However, the second day saw a turn-out of about hundred (x100) people. Poor turn-out on the first day was mainly attributed to late delivery of information about the event and problems associated with the venue.

In order to maximize the participant's intake, the participants were formed into groups to give a chance to each individual to get involved in the public hearing. The participants represented were ranged from the NGOs, Government officials, Governmental agencies, the media and ordinary citizens.

3. COMMITTEE CLERKS: Performance by the individual at the public hearings

⇒ ARUSHA:

The Committee Clerk played his role well as he managed to fulfill all his duties without any problems. He recorded all the discussions on both days; he made sure all participants were provided with the copies of the Constitution and / or copies of the Amendment Bill and he recorded all attendees on both days.

⇒ MWANZA:

The Committee Clerk was cooperative and he fulfilled his duties very well.

⇒ TABORA:

The Committee Clerk had a laissez faire attitude and assumed that SUNY was taking care of the whole exercise and therefore as a Parliamentary staffer he had no management responsibility which was not the agreement between Parliament and SUNY. (He treated the SUNY staff as his assistant which was inappropriate). Tabora's public hearing was judged to have been badly managed and inadequate.

Copies of the Amendment Bill and Constitution were insufficient and the Committee Clerk was not working to investigate and get extra copies even when the only solution was to take action to make additional photocopies available. In summation, the Committee Clerk was uncooperative and failed to fulfil his supporting duties to the Committee during the Public Hearing. Indeed he was not around at all during the public hearing therefore he did not make notes of the proceedings. This reflects a rather worrying attitude given that the public hearing event was organised by Parliament and SUNY Tanzania was merely present to observe/facilitate at the margins.

⇒ ZANZIBAR:

The Committee Clerk was both unfocused and disorganised as he relied on SUNY/Tanzania for everything. For instance, he failed to brief the MPs properly on the whole agreement that was reached between SUNY/Tanzania and Bunge and as a result MPs kept on demanding SUNY/Tanzania to organise their meals (lunch and dinner) and to pay for fuel for their own private vehicles. All these were outside the agreement reached between SUNY and the Parliament. The Committee Clerk left the responsibility for ensuring participants were provided with copies of the Bill and the Constitution to SUNY staff, rather than take ownership for providing support to the Committee Members.

⇒ MBEYA:

The Committee Clerk was conspicuous by his absence from the public hearing and thus failed to provide adequate support to the Committee Members. He apparently was busy in town on personal business.

4. ACCOMMODATION:

As per the agreement made with Parliament, SUNY/Tanzania made all hotel bookings and ensured that the Bed & Breakfast (B&B) rate did not exceed Fifty Thousand Shillings (50,000/=). Some MPs opted to stay at their private residences (e.g. Hon. Juma Nh'unga – Zanzibar and Hon. Chief Abdallah Fundikira – Tabora) while others opted to pay for their own accommodation (e.g. Hon. Nimrod Mkono). With the exception of the group which traveled to Mwanza, all other hotels were deemed to be satisfactory in terms of location and services provided. The Mwanza group opted to move to another hotel on the second day as they were unhappy with the quality of the first hotel.

5. TRANSPORT:

Tickets for three different groups traveling to three different locations were purchased by SUNY/Tanzania and fuel costs for the two buses that travelled to Mbeya and Arusha was also covered by SUNY/Tanzania. All groups comprised of MPs, Committee Clerks, Legal Experts, and SUNY staff. SUNY/Tanzania made sure that there was transport to pick up all MPs from/to the airport(s) and to ferry MPs from the hotel back and forth to the public hearings venues.

Difficulties Encountered in Making the Travel Arrangements:

1. Most MPs were not certain as to which public hearing location they wanted to attend and this was quite irritating as the MPs continued changing their bookings until the eve of the public hearing.
2. One MP failed to disclose that he was traveling abroad; which in turn made SUNY/TZ incur costs for the unused hotel room.
3. One MP exchanged his ticket with a fellow MP who wanted to visit his Constituency in the name of attending the public hearing in Arusha. To add insult to injury whilst

the MP did indeed travel to Arusha he failed to attend any part of the public hearing.

4. In Zanzibar MPs were forced to cancel their trip to Pemba in order to attend a meeting with the President of Zanzibar. This meant that the people in Pemba were denied the opportunity to contribute their views on the Constitutional Amendment Bill 2004. For SUNY/TZ this cancellation meant that all the tickets that were purchased were not refundable and therefore SUNY Tanzania incurred abortive costs.

6. CONCLUSION:

Despite the shortcomings observed, the SUNY staff who attended each public hearing event were able to solve most of the problems.

The challenge therefore is for SUNY/TZ to help provide assistance to Parliament to help them;

- (a) properly understand the concept of public hearings,
- (b) to help the Committee Clerks understand and play a much more prominent vote in providing support to the Committees.

This makes the work underway vis public hearing even more timely and necessary. These negatives aside the public hearings have proved useful and can be seen as "ground breaking' insofar as this appears to have been the first time a Parliamentary Committee has ventured out to consult the people of Tanzania on a Constitutional Amendment Bill. This marks an important step forward in improving representation between Parliament and the Tanzanian citizens.

The core issues seem to have been;

- Poor planning: little or no planning seems to have been made by the Parliamentary staff to enable them to adequately plan for any problems, and
- Poor Communications: the core agreement which setout the respective roles and responsibilities of Parliament and SUNY do not appear to have been disseminated/understood by the staffers or MPs. This resulted in the

almost complete absence of any ownership by the Committee Clerks at the public hearing events which in turn was evidenced when MPs or participants sought assistance and the Committee Clerks were either absent or disengaged from the entire process.

In conclusion, whilst there were some problems but they did not cause insuperable difficulties. Therefore it will be important to view the exercise as a learning tool and to look at the steps necessary to make improvements in the organization and management of future public hearing events. SUNY/Tanzania stands ready to offer assistance in that regard.

SUNY/Tanzania

February 2005

ANNEX B

THE STATE UNIVERSITY OF NEW YORK

**TECHNICAL ASSISTANCE FOR THE STRENGTHENING OF
TANZANIA UNION NATIONAL ASSEMBLY**

**REPORT ON THE PARTICIPATION IN PUBLIC HEARINGS ON THE
14TH CONSTITUTIONAL AMMENDMENT BILL IN TABORA 13TH-14TH
JANUARY 2005.**

Prepared for SUNY Tanzania by:

Yohane Masara
Dar es Salaam
Tanzania.

26th January 2005

Introduction

The State University of New York (SUNY/Tanzania) realising the importance of public participation in the constitutional making, and realising of the dire need of democratic process in matters that affect lives of the people, funded the process of public hearings of the 14th Constitutional amendment to the 1977 Constitution. To ensure transparency and feedback of the process, they consulted few personnel, I being one, to observe the process. I was honoured to be amongst the group that travelled to Tabora. The Public hearings were conducted on 13th and 14th of January 2005. Hereunder are a brief overview of what I observed and few recommendations of what should be done to improve subsequent hearings.

A. Key Issues

⇒ The Process

There are numerous things one can say to commend the process that was adopted in gathering views of people regarding the 14th Constitutional Amendments to the 1977 Constitution. It was not expected that this hearing, the second ever in the history of Tanzania, was to be perfect. It is however submitted that much ought to be done to ensure that the process of public hearings is done in the best possible way. Let me point out the shortcomings I observed in terms of the process.

(I) Members of Parliament

It is submitted that those MPs who travelled to Tabora exhibited maturity and acted fairly and to the satisfaction of most of the persons who participated. Hon. Paschal Degera, MP (Kondoa South) chaired the team. The others were Hon. Chief Abdallah Fundikira and Hon

Rosemary Nyerere (Presidential and Special Seat, respectively). The other three, namely Jeremiah Mlyambate, Ruth Msafiri and Raynald Mrope did not make it to Tabora. Their absence was in my view prejudicial to the process, as their presence would have stirred more discussions. There are questions that might have got the expertise of some of the absentee MPs some of them being very experienced. I was particularly impressed by the opening speech by the Chair who stated that they were not there to give them answers but to listen to them and receive their views.

(II) Venue of the Hearings

The Public hearings were originally scheduled to be held at the Regional Commissioners offices Tabora. This, to me, was going to negatively affect the outcome of the discussions. It is common knowledge that most Tanzanians are not free to air their views in venues that are regarded to be "government" ones. Some of the people who were expected to attend were from different cadres of the society including opposition political parties. Holding the meeting at the Regional Commissioner's office was not going to yield the desired result. Chief Fundikira, probably realising this danger decided to pay a private hall at Uhazili Institute. I personally commend this move although it might have contributed to lesser number of attendees and the delay in starting of the meetings. Some government officials did not attend the meeting, probably because they were not happy with the last minute change of venue.

(III) People's attendance

The total number of participants in both meeting was slightly over ninety. This number is very small compared to the number of people who reside in Tabora town. This number included those who came from different nearby districts. During the introduction, I realised that most of

the persons present were public servants, political parties' dignitaries or religious leaders. It follows, therefore, that the ranks and files of Tabora did not attend. This might be attributed to the long cherished tradition that when it comes to law or constitution, the common man shies away. The process therefore lacked the input of the actual respondent. Their presence was likely to contribute a lot. I attribute their absence also to poor advertisements, and also to less awareness of people on the importance of such hearings.

(iv) **The Hearings**

As pointed out hereinabove, hearings were delayed for some reasons. These delays may be attributed to change of venue and to late arrival of the participants. The second day of the hearing, for example, was scheduled to commence at 9.00am but at that time only the MPs and the other persons from Dar es Salaam and 2 or 3 others, were in attendance. The hearings were conducted after the Bill and Constitution were distributed to those in attendance. What was observed was that none of them had seen or even heard of the intended amendments. Some of them complained of the "rush" to discuss documents they have not read, digested and formed opinion on. One of the participants (I presume representing many others in the floor) stated that in his 39 years of living in Tanzania (his age of course) he had never seen a constitution, let alone read it and knows of its contents. There is lack of awareness of people of the constitution and discussions of this nature ought to take into consideration the fact that most Tanzanians are ignorant of their constitution and the role it plays in ensuring democracy and good governance. As the number of Constitution and Bill were not sufficient for everybody, those who missed copies complained and attributed their silence to lack of material. It is suggested that such materials be made available to people in advance even for a fee. Time for reading material and

preparation for discussions is also important so that informed contribution may be given.

B. Contents

As for the contents of the discussion, it is my view that contributions given by those in attendance showed a lot of awareness, probably not of the actual contents of the Bill or Constitution but of the importance of human rights safeguard in the constitution or law. Some contributions however, reflected acute lack of awareness of what was actually anticipated. It was shocking to hear some of the persons in attendance asking for food; per diems etc. because what they were doing was equivalent to what MPs do in Dodoma. This equation connotes lack of people's enthusiasm to discuss matters relevant to their fate and the fate of the country. The above notwithstanding, there are few comments that were made which shed light to what MPs should take into consideration when discussing the amendment Bill. The following are some examples:

(i) Claw back Clauses

Participants were unanimous on the point that the constitutional guarantees of human rights should not be made subject to other laws. Some however raised reservation on some of the amended provisions as they had gone further than just removing claw back clauses that was intended. Article 18, for example was said to have restricted right to information to local ones as opposed to the existing one.

(ii) Attorney General, DAG, and DPP

Some participants were of the view that because these posts are sensitive, their appointment by the President should be made subject to confirmation by the National Assembly. Some argued that the DPP's post should be a union issue or else include the DPP of Zanzibar in the

Constitution. His powers were also said to be enormous and prejudicial to good governance and justice principles.

(iii) Advisory Board

Participants reacted negatively to this board. It was unnecessary, they alleged, for the constitution to provide for this body, as the President ought to be free to choose his own advisers.

(iv) Special Seats MPs

This issue was highly contested by some people but it got support from few. Those opposing it found no good reason why we should have such big number of MPs not elected in constituents. They were of the opinion that addition of this number was tantamount to saying that women should not contest in the election. Those who supported the increase, cited women's marginalization and their contribution to the economy as the reason why they should be given adequate representation in the National Assembly; most of them argued against the 5% threshold that is in the intended amendment. They argued that such percent might cause these seats to go to one or two parties only. They suggested 2% as being a reasonable threshold. Others were in favour of leaving it open.

(v) Independent views

Besides matters cited in the intended amendments, those who attended the public hearings were of the view that a wider discussion of the constitution and other matters of national interest should be encouraged. Some participants went to the extent of stating that the hearings were like imposing the will of the Mps to people. They wanted freedom to discuss all areas of the constitution, which they regarded as needing such a fora. They wanted to discuss issues of grand corruption, division of matrimonial property, Electoral Commission, Takrima, Gender Sensitivity in Higher posts, Retirement benefits for MPs (which were said to be too high as compared to other

public servants), retirement age, recalling of MPs in case of laxity, and many others.

Conclusion and Recommendation

To sum up I would like to highlight what one participant observed on the last day of the hearings, "...the major vice is that 'we' do not know the constitution and the rights that comes from it." I believe the discussion would have been more successful had the participants read or knew the constitution as it is. It is difficult for a person to discuss amendments to something he does not know. It is suggested that people be encouraged to read the Constitution. When we were going around bookshops in Tabora, none of them had a copy of the constitution something that makes it even harder to enlightened citizens to read. It is proposed that the government should print enough constitutions and supply them to people for affordable prices. It is further suggested that, intended amendments be made well ahead of the public hearings and be distributed either in their original form or as newspaper prints.

It is further suggested that MPs should strive to seek their constituents' view on any intended amendments to any law that may affect their lives. This will ensure that the MP is well informed of what his people considers right in the circumstances. This should be done where it is impossible to hold public hearings as we did.

It is, further, suggested that public hearings be made in almost every legislation or amendment that is to be enacted. The experience we had in Tabora, showed that the masses are not dumb after all. They are serious when it comes to matters affecting them. It is also argued that where possible, the participants should be availed copies of the relevant statutes, food or refreshments to keep them awake in long

discussions. The absence of this, however, should not restrict public hearings.

Lastly, I would like to thank SUNY/Tanzania for making this process a success. I thank SUNY/Tanzania for their financial and material support that enabled me to attend and observe the process. If possible, I would argue that such hearings be made in all regional centres to get more views. They should also be adequately advertised poor attendance of the possible respondents was due to inadequate prior notices of the hearings.

Yohane Masara
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1. BACKGROUND

The Government of the United Republic of Tanzania is planning to table before the forthcoming parliamentary session a Bill Supplement for the Fourteenth Amendment of the Tanzania's constitution. The House session is scheduled to begin on the 2nd day of February 2004 at its traditional venue in Dodoma. One of the Parliamentary regulations requires that a draft must be discussed by various stakeholders through the so called "Parliamentary Committee Public hearing" before it is finally tabled by the Minister in charge for discussions and approval by legislators. Traditionally, public hearings have been taking place in Dar es salaam only probably because of shortage of financial resources to cover other regions and other reasons best known to the government and the Speaker's Office. The State University of New York (SUNY – Tanzania office) which has been working with the Tanzanian parliament on various aspects facilitated public hearing at constituency level in five regions representing five Zones which are Mbeya, Arusha, Mwanza, Tabora, and Zanzibar (Unguja and Pemba). One of the main reasons to extend this noble forum outside Dar es salaam was to learn and share experiences of the public hearing at constituency level in order to find ways to improve the process in future.

This is a report of Public hearing for Mbeya region that took place in Mbeya town from 13-14th January 2004. The report describes how public views were collected highlighting key issues that emerged during discussions before bringing out some pertinent concerns raised by the public. It winds up by proposing a number of recommendations and some conclusive suggestions for improvement of the process in future.

2. MANAGING LOGISTICS

2.1 Coordination

Public hearing in Mbeya region was coordinated by the District Administrative Secretary (DAS). The process was very poorly organized especially on the first day of the hearing. It happened that invitations were sent to only few NGOs around Mbeya town on 11th January through telephone without clarifying what they were invited for. Some participants said they were invited to a special meeting for NGOs while others knew nothing about their call. As result, only few NGOs officials (probably who could be reached through telephone) turned up on the first day. It was very embarrassing to find **only 22 participants** out of the hundred thousands of Mbeya town dwellers in an important session

like that. As for the second day, participants increased to 120 after a direct intervention of the District Commissioner who directed Mbeya District and Municipal Authorities to mobilize people through Mbeya Radio and Mbeya Television.

2.2 Composition of participants

People who turned up for public hearing especially on the second day (14th) came from different social and professional backgrounds such as NGOs Officials, Civil servants, police, Lawyers from the Attorney General's Chamber, private Advocates, human rights activists, people with disabilities (the deaf), Religious leaders, political parties and the General public. This composition was generally good and suitable for balanced discussions.

2.3 Participants' expectations

It is very important to note *albeit* in the passing that most participants did not differentiate this public hearing from an ordinary seminar or workshop where invitees get their Daily Subsistence Allowances and/or related dues. They thus expected to be paid. Some participants went as further as asking why they were not paid. This was a seriously negative experience especially for important issues like constitutional debate where people have to be driven by their common public good and not other interests. It is advised to raise people's awareness and clarify to them what they deserve on such matters well in advance before the dates of the hearing.

2.4 Timing and time frame

On 13th January, the session began at 11.50 instead of 8.30 as previously planned because the Committee Members slept at Makambako where their vehicle got a breakdown *en route* to Mbeya. They therefore arrived in Mbeya in the morning of 13th January hence delaying the session. Given also the fact that the venue for the hearing was not known to participants until very late around 11.0 a.m, the discussion endured for only three hours (i.e 12 noon to 3.05 pm) which were too short for meaningful inputs from the public. Invitations to participants were also circulated in a day before the event making it difficult for many people to find space in their already planned schedules to attend the hearing session.

3. THE PUBLIC HEARING PROCESS

3.1 The process

Public hearing at constituency level was a very welcome idea that most participants commended it. Besides its value added advantage of getting people's views from the grassroots level, one woman participant from "Upendo Group" remarked that it was a special session and rare opportunity for them to participate in decision making with their legislators. Most participants commended the process urging that there has to be plans to sustain such processes at constituency level. Such remarks show that decision making processes at lower levels are often made without due consultations and involvement of various stakeholders and especially common people.

3.2 Methodology

After all the protocol procedures were dully performed, the chairperson (Hon. Jenister Mhagama) briefly explained the intention and rationale of such a unique forum. She then introduced Hon. Zahoro Ali Ismail to explain in a summary the objectives and reasons for the 14th Constitutional amendments.

Thereafter, participants divided into groups for careful reading and analysis of the bill. While some groups had lawyers to assist them understand the bill, others had no person to assist. Each group presented its findings in the plenary where participants got opportunity to share their views regarding the findings. In the first day, participants divided into two groups of up 10 members while in the second day they divided into seven groups of up to 15 members.

Group discussions proved to be useful in bringing out very key issues especially where the groups composed of people with diverse backgrounds and knowledge on legal issues, activism and/or human rights advocacy. Group discussions had one big limitation for the researcher as he couldn't switch freely from one group to another to chip in and moderate discussions.

4. KEY ISSUES RAISED

For purposes of this report and future plans of public hearing at constituency level, I have divided the key issues raised into two main areas; first, Observations form the bill and second genuine concerns that are not part of the bill or the proposed amendments.

4.1 Observations from the Bill

There was a general appreciation of the government's efforts to uphold the supremacy of the constitution through this amendments by removing all the articles with phraseologies that subjected the Constitution to the municipal laws especially by removing the claw back phrases "without prejudice to relevant laws of the land or subject to the provisions of the relevant laws of the land" This was one of the fundamental contradictions in the country's legal regime. There after, each proposed article was carefully and critically analyzed to asses its intentions, relevance and practical implications.

(i) Article 18 (d): Freedom of Expression and Opinion.

Participants noted that this sub article has been unnecessarily placed as it sounds like it is constraining a person's freedom to seek and or solicit information through any media regardless of national frontiers as it was provided for in the previous sub article.

Proposal; Retain the previous phrase

(ii). Article 19 (3): Right to Freedom of Religion and Worship

This sub article is a new insertion which most participants commented that it contradicts principally with the remaining three sub articles (1, 2 and 4). While the three articles vest ultimate freedom of worship and religious choices on the person and outside the state domain, this sub article is pupated to encourage state intervention and infringes freedom of worship, hence diluting the entire spirit of the proposed amendment for this article.

Proposal; Delete the sub article because there are numerous laws of the land to deal with criminals including those who will misuse religious or faith groups.

(iii) Article 20(4) Freedom of Association

It was noted that this sub article contradicts with sub article 2 which denies any political entity to be registered if its policies, creed or ideology promote discrimination of any sort. In the contrary, sub article 4 insists that such an entity must not be denied registration. It also contradicts with articles 39 (1c), 67 (2e) and 78 of the constitution which force contestants of political leadership posts to vie for leadership through political parties auspices only.

Proposal; The article be deleted and/or amended to match with other related Articles in the constitution,

(iv) Article 37 (a & b) Delegation of Duties of President

These sub articles remove the Speaker and Chief Justice from the list of officers to perform presidential duties in absence of the president and Vice President in order to make a *de facto* distinction between executive powers and powers of other arms of the state. The amendments propose the Prime Minister to discharge duties of the president in the absence of the President and his/her vice.

Participants strongly commended the proposed amendments. However, they raised other genuine concerns as follows;

- (i) That the article should further state that in the absence of the all the three (President, Vice and Prime Minister) , a senior cabinet Minister shall be delegated to perform duties of the president
- (ii) That also the constitution should clarify on the delegation procedures of the Prime Minister's duties when he/she is acting as President
- (iii) That the Prime Minister is a leader of Government business in parliament but there is no provision in the constitution to clarify on delegation procedures when he/she is out of the house for other duties.
- (iv) It was then proposed that a post of Deputy Prime Minister be officially introduced and recognized in the constitution

(v) Article 59B (b-c) Powers of the DPP

Participants were concerned by the immense powers of the Director for Public Prosecution (DPP), noting that the two sub articles confer him with too much discretionary power. There was a fear that such powers can be misused if there is no other organ to counter check their use.

Proposals; The judiciary be empowered to counter check the decisions of DPP and decide otherwise as the case may be to ensure maximum enjoyment of one's rights and freedom as provided for in the constitution. It was further proposed that the DPP should not be empowered to intervene and /or stop prosecutions that are done by other authorities. So, sub article 2 (b, c) should be deleted.

(vi) Article 61(A) National Advisory Council (NAC)

There were very fierce reactions against establishment of the National Advisory Council a non executive body to advise the President on various National issues. Some of the concerns were as follows:

- The council will in essence be powerless to advise the President who is according to sub article 61A (1a) its chairperson.

- It is unfair and indeed against democratic principles under the present multiparty system to force the incoming president to rely on the advice of retired Presidents and colleagues. Let the president exercise his full discretionary powers to appoint personal advisors without limitations as it has always been the case.
 - There are no provisions to clarify on the cost implications for the council
 - What are the criteria for selection of other members of the council?
- Proposal;* There is no need for such an organ to be established, so the entire article should be deleted.

(vii) Article 66: Special Seats for Women MPs

Participants commended the increase in percentage of women representation in the parliament from 20 to 30 percent. However, the proposed 5% of the total votes for political parties to qualify for special seats was criticized as being too high especially for small parties.

Proposal; There should be deliberate efforts to encourage and empower women to contest for such posts through electoral constituencies in order to iron out the "stigma" attached to special seats that considers women as incapables in leadership.

(viii) Article 74 (16): Electoral Commission Members

Participants proposed that all members of the Tanzania Electoral Commission (NEC) must be non partisan to avoid unnecessary confrontations amongst themselves and ensure impartial decisions for all parties.

Proposal; Sub article 16 that allows the President to appoint two members of the Commission from political parties be erased.

(ix) Articles 107- 120 The Tanzanian Court, Judicial Service Commission and the Appointment and tenure of Judges

One of the significant changes hailed especially by lawyers was the establishment and recognition of the Judiciary as an independent pillar of the state unlike in the previous constitution where it was referred to as a department in the ministry of Justice and part of the executive arm.

Proposals; Article 113 (3); That the appointment, tenure and discipline of judges and Magistrates be vested under the jurisdiction of the Judicial Service Commission without any interference from the President or any other officer of the executive arm of the state. This would ensure the independence of judiciary and enhance separation of powers.

That also when the judge of the Court of Appeal reaches a retirement age of 60, the president should not be allowed to force

him continue with service as proposed in Sub article 120 (2). The sub article violates personal freedom and will for public service.

4.2. Concerns raised out of the proposed amendments

(i) Call for a new Constitution

A good number of participants especially in the second day criticized the proposed amendments on grounds that they are intended to suite immediate needs of certain groups of people instead of addressing key and delicate issues like the structure of the union and the like. They also noted that the time gap between one amendment and the other has always been too short, citing the 2000 amendment and the 2005 proposed bill. They further challenged the tendency to issue bills for amendments of the constitution shortly before general elections as if the plight of the nation's wellbeing depends solely on elections. Having noted provisions of the constitution that justify their plea for a new constitution, they thus blew it out that it was high time for the government to allow the public to engage in a serious debate on Tanzania's new constitution until when the consensus will be reached through the National constituent Assembly.

(ii) Structure of the Union

Why is it that Zanzibar enjoys a status of a sovereign state within the United Republic? Doesn't the decision to grant it the right to have her own flag concretize her being a sovereign state within another state of the United Republic? This was one of the questions asked by a participant which was unfortunately not responded properly, may be because of the complex nature of the union itself? This was also an issue justifying their call for the new constitution.

(iii) Call for Group representation in parliament

Parliamentary representation system should change from basing on political parties to group representation in order to extend the scope of democratic practices beyond political party politics. The current system leaves out many potential candidates and interests who could make significant changes in the parliament if allowed to enter through other groups.

(iv) Religious Vs Circular State

It all began like a fun Joke but at the end it turned to be a very interesting observation and puzzle for everybody. One Cleric noted that, much as the parliament sessions begin with prayers to almighty God, Cabinet Ministers pray to God when they are sworn in and the courts swear in

witnesses in the name of God, it was high time that the Government recognizes God and religions without necessarily affiliating to any religious denomination or sect. For him, it does not sound good for the constitution to state that Tanzania is a circular state while in practice the government hails God.

5. MY GENERAL OBSERVATIONS

- (i) Time was too short for constructive discussions probably due to lack of proper planning and preparations
- (ii) The decision to gather views from the public at constituency level was highly commended and appreciated by participants. They want this process to be sustained.
- (iii) Level of public awareness on constitutional issues is still low. Many participants were not able to give any views during discussions or even seeking clarifications from lawyers. Some of them felt like they could not alter any thing in the document prepared by professional lawyers so they just approved everything.
- (iv) Besides protocol procedures performed by the Mbeya District Commissioner, there were neither party nor government domination of the process. All participants were encouraged to give their views freely without any interference.
- (v) Women turn up and participation was encouraging and they even made very valuable contributions both in groups and plenary discussions.
- (vi) Composition of participants especially in the second day was very good. Participants came from different social and occupational backgrounds. Very exclusively, the deaf Association in Mbeya organized its members who actively participated in both the plenary and group discussions with the assistance of their interpreter.
- (vii) As for their expectations, most participants thought they would be paid a sitting allowance and other benefits. At first, I thought it was due to confusions in the invitation adverts that the event was a seminar and not public hearing, but even after the event was re-advertised with emphatic clarifications, still some people came out in the second day with expectations that they would be paid.

6. GENERAL COMMENTS AND RECOMMENDATIONS

- (i) Given the fact that time was too short for people to give their views, and that documents were not timely distributed, it advised that next time such hearings are conducted at constituency level, proper planning and preparations should be made well in advance for people to prepare themselves and for meaningful results as well.
- (ii) It was noted that the United Republic of Tanzania constitutions are not in circulation. Some people had never seen the document while others had old versions. Given the importance of the constitution to people, it is extremely important to ensure that the document is readily available throughout the country's education outlets like schools, colleges, and information centres for the public to access.
- (iii) It was further realized that people had very important views regarding issues they feel should form part of their constitution but which are missing in the proposed amendments. They pointed issues like protection of land and natural resources for citizens and improving the system of governance at local levels. One could thus recommended that next time constitutional review processes should begin by collecting people's views first (Needs assessment to establish people's general views on their constitution) before stakeholders are invited to comment on the already prepared bill for amendments. Ideally, this is an ideal and feasible approach to ensure peoples' participation in policy and decision making processes especially on key issues like their National Constitution.
- (iv) Lastly, the process of collecting views at constituency level was highly commended. However, the chairperson clarified that it could not be sustained for all other bills because of its high cost implications. Participants urged that much as the government and Parliament recognize the importance of constituency level hearing, they should budget for that or invite interested sponsors to fund the processes. They commended that this would in a long run enhance participatory democracy on matters of public concern.

THE STATE UNIVERSITY OF NEW YORK/TANZANIA

**REPORT ON THE CONDUCT OF PUBLIC HEARING ON
THE 14th CONSTITUTIONAL AMMENDMENT BILL
IN MWANZA**

HELD AT MWANZA MUNICIPAL HALL

ON THE 13th -14th JANUARY 2005

**Prepared for SUNY/Tanzania by:
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Public Hearing on Constitutional Amendment Bill in Tanzania

General Introduction

The State University of New York (SUNY/Tanzania) is implementing a two year program to provide technical assistance for the strengthening of the Tanzania's Union National Assembly.

The two year program involves improvement of representation in legislative process, increase quality and efficient service delivery to all stakeholders, and increase legislative capacity to monitor public expenditure and oversee implementation of the Poverty Reduction Strategy.

Recently, the Parliamentary Committee in Constitutional, Legal and Public Administration in collaboration with SUNY/Tanzania has organized a two day public hearing on the Constitutional Amendment Bill in Mwanza, Mbeya, Arusha, Dar es Salaam and Zanzibar. In Mwanza region, the Parliamentary Committee was represented by Hon. George M. Lubeleje, Hon. Wilfred Lwakatare, Hon. Nimrod Mkono, Hon. Mwane Mchemba and Mr. Emmanuel Mpanda. On the other hand, Ms. Beatrice Massawe represented the SUNY/Tanzania.

Public Hearing in Mwanza

The public hearing in Mwanza was held in the Mwanza Municipal Hall on the 13th -14th days of January 2005. The hearing aimed at inviting stakeholders in the region to discuss and give suggestions on the provisions of the Constitutional Amendment Bill 2005. Additionally, it intended to improve the extent of representation by increasing citizens'

access to participate in a broader perspective in the process of amending the Bill.

Invitation of Stakeholders

The hosts Regional Government Officials were responsible of inviting various stakeholders to the public hearing event.

The structure and composition of the stakeholders was uneven. Participants come from civil society organizations, religious organization, media, and local government authorities. There were no representatives from political parties, youth and people from other districts of Mwanza.

Procedures for the public hearing

The procedure for the public hearing conducted by this Committee was totally different to the public hearing conducted during the pilot project at constituency level.

During this Parliamentary public hearing, the Chair of the whole process was the host District Commissioner, in all sessions, the event began by introduction of participants including the members of the Parliamentary Committee. The Chair explained the purpose of the meeting and then followed by opening remarks from the Chair of the Parliamentary Committee.

Opening the hearing event, the Chairman of the Parliamentary Committee, Hon. George M. Lubeleje realized that for many years, majority of Tanzanians were not taking part in the law-making process inter alia constitutional amendment for the Constitution of the United Republic of Tanzania 1977. He pointed out several factors that hindered

this, including one-party monopolistic political system, lack of civic education and others.

"With the changes brought by Legislature, the arena of law-making process has been open to the general public through various ways including parliamentary public hearings at the committee levels and public hearings at the constituency levels" he said.

He further noted key provisions of the constitution that are proposed for amendment and insisted the necessity of collecting views from stakeholders. He then invited Hon. Mkono, Hon. Mwane and Hon. Lwakatare to say a few words to the audience in relation to the objective of the meeting.

Hon. Mkono presented his legal expertise on present issues in the Bill. He also clarified questions that rose by the stakeholders during discussions.

Hon. Mwane was the third to present her views. She enlightened the importance of public hearing in the law making process and participation of women in the entire process. She further insisted on the role of the Parliamentary Committee in collecting views before tabling them in the Parliament.

Cementing ideas of his colleagues, Hon. Lwakatare commented on the role of the opposition in the public hearing, that is, participate fully in the law making process. He urged stakeholders to discuss and give opinion which will serve our nation without creating unnecessarily political barriers.

The Chair invited the participants to discuss and give their opinion on the provisions of the Bill presented before them. Participants' views were

written down by the Secretary of the Parliamentary Committee with a view that they will be tabled to the Committee for legislative process.

Presentation of Views

The Chair invited participants by requesting them to raise their hands and the speakers were given a chance to speak sequentially according to the Chair's ordering. The speakers were also asked to introduce themselves before they present their views.

Overall, the presentation of views on the Bill took only about two hours on the first day and three hours on the second day. Several participants expressed their views on various provisions of the Bill including the freedom of worship, power of the President to appoint advisors, demise of separation of powers, independence of the judiciary and powers of the Director of Public Prosecution.

Observations

First of all, many participants expressed their strong support for the public hearings of this kind. To them, this was an excellent opportunity not only to provide their views about Bill but also to share ideas with Parliamentarians in the legislative process of different laws of the land.

Secondly, the Bill was distributed during the public hearing as a result the views from stakeholders were so limited. Majority of stakeholders requested day one that is 13th January, to read the Bill and present their views in the second day.

Thirdly, there was uneven representation of stakeholders. Majority of the participants came from Mwanza Municipality representing religious

institutions, civil society organization and local government authorities. There were no representatives from other districts of the region.

Fourthly, the procedure used during the public hearing was not the same as that conducted during the public hearing pilot project at constituency level. There was no tentative timetable as a result participants had to leave before the time. (At 13.30 pm out of thirty six (36) participants only fourteen (14) remained)

Fifthly, some participants expressed the need for civic education in the society so as to raise awareness on the legal issues.

Sixthly, the venue was not well communicated as a result people had to move to different halls such as Indira Gandhi Hall, Regional Administrative Secretary's Office and Bank of Tanzania Hall looking for the event. It seems that notices were circulated few days before the event and were sent to specific persons at division and ward levels.

Recommendations

The procedure introduced during the public hearings at the constituency level pilot project in 2004 should be invoked so as to capture views of the stakeholders at constituency level. That is, defining the agenda, inviting expert to give testimony, inviting stakeholders to give views and read out proceedings for final clarifications.

There is an importance of advance distribution of the bills to the public for their studying so that they can present more meaningful views to the Committee.

There is a need to design a program in the hearing event which will give participants opportunity for break, for giving opinion in time and for hearing a proceeding report at the end of session.

There is a need to convene a meeting of different stakeholders from all corners of the region. Invitation should not be sent to specific persons rather should be widely circulated to involve various stakeholders in the region.

Conclusion

The public hearing in Mwanza was one of the best examples of stakeholders' involvement in the legislative process of the laws of land. Participants were given opportunity to discuss and give out their views on the provisions of the Bill. However, a lot need to be done to improve participation and the conduct of the public hearing at the committee level. The Committee needs to consider the even composition of participants, involvement of media, inviting legal expertise to interpret the Bill and reading out the proceedings to stakeholders for clarity.

**PUBLIC OR GOVERNMENT HEARINGS: CHALLENGES IN PARLIAMENTARY
PUBLIC HEARINGS IN TANZANIA**

**REPORT FROM PUBLIC HEARING ON 14TH CONSTITUTIONAL AMENDMENT
BILL, ZANZIBAR 13TH – 15TH JANUARY 2005**

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26th January 2005

1. Introduction

The State University of New York (SUNY/Tanzania) supported me to travel to Zanzibar with the Parliamentary Committee on Constitutional, Legal and Public Administration for purposes of being a participant and Observer in the public hearings originally planned to take place in Unguja 13th to 14th and Pemba 15th January 2005. This brief report provides a brief narration of what happened in actuality against what could otherwise have been the case. The format is such that after this introduction, process issues are raised before a discussion of content issues. At the end, the report provides some conclusions and recommendations.

2. From Dar to Zanzibar and Back

It was 14.00 hours on Wednesday 12th January when my flight on Precision Air took off from the Dar es Salaam International Airport (DIA). My arrival in Unguja was timely and I quickly hired a taxi to Maszons Hotel where I resided together with another independent participant as observer, Prof. Max Mmuya. At 8.40 in the morning of Thursday 13th, we were all gathered at the House of Representatives Grounds in Unguja.

3. Self- introductions and the conduct of the Hearings

However, it was not until 10.25 when the public hearing started after a long meeting with Hon. Pandu Ameir Kificho, Speaker of the Zanzibar House of Representatives whose views and comments on the constitutional review process are also part of the content section to follow soon. Then came the late morning of complaints from the participants of the hearing for what one of them called 'critical discrepancy' of bringing the documents for the discussion the same morning expecting people to 'actively participate in giving out views'. Even worse, there were not enough documents for the participating public necessitating SUNY representative to volunteer to cause the production of more copies of at least the Bill document. In short, the preparations for the hearings were at best ridiculous. The acting Chairman of the delegation Hon. Juma Suleiman Nh'unga, CCM (Dole) introduced the delegation as recorded below;

1. Hon. Ramadhan Hashim Khalfan – CCM (Bagamoyo)
2. Hon. Grace Kiwelu – CHADEMA (Special seats)
3. Hon. Khamis Salum Alli – House of Representatives to Parliament and Minister in the Isles cabinet
4. Juma SULIMAN Nh'unga – CCM (Dole) and Secretary of the CCM Parliamentary Caucus

5. Ernest Zulu – Secretary of the Parliamentary Committee on Constitutional, Legal and Public Administration.
6. Julius Malaba – Attorney General Chambers and Legal draftsman
7. Prof. Max Mmuya – University of Dar es Salaam, Independent
8. Godfrey Mwakyoma – SUNY Tanzania
9. Ramadhani Issa – Officer in charge, Parliamentary Office – Zanzibar
10. Deus M. Kibamba – SUNY participant as Observer and Independent Constitutional Analyst

Within less than two hours from the start of actual presentation and discussions of the Bill (at 11.50), the acting chairman of the delegation requested the participants that the meeting take a break to allow for the delegation go and meet with Hon. Shamsi Vuai Nahodha, Zanzibar's chief Minister. The meeting with Hon. Nahodha was held at his offices starting 12.00 for more than one hour until 13.10. Being part of the delegation, I had the opportunity to raise some issues in a two-hour discussion with him that discussed in some length the Constitutional Amendment process as well as raising key issues and the timing. Further details on the discussions to follow in the coming sections.

The afternoon or rather 'evening' session was hence double-sized, comprising members of the morning and afternoon sessions. The first day discussions went up until around 17.00 hours continuing with other groups in the morning of Friday 14th January. Like the previous day, the public hearing only went until lunchtime before an extended break to allow for the 'official' delegation to get the views of the Isles president Amani Abeid Karume. Having streamlined the delegation, neither SUNY representative nor myself or Prof. Max Mmuya was allowed to be part of the state house visit making it a purely governmental hearing with the President of Zanzibar.

4. Key Issues from the Hearings

4.1 Inadequate and late preparations

One of issues that were raised over and over again was with regard to the improper and late preparations of the hearings. Many participants were of the opinion that it was unfair to distribute the meeting documents at the start of the meetings and expect valuable contributions from the public. Also, some members did not officially receive invitation letters and came by hearsay making it difficult to even consult their constituencies. Given the sensitivity of the United Republic Constitution, participants advised that such public hearings should have been properly planned and documents in place and with participants at least one month in advance of an awareness workshop run by independent experts to elaborate the meaning of the proposed amendments before the

public hearings can start. In the contrary, all of these principles were violated.

4.2 Public or government hearings?

Participants were also wondering what these were, between government and public hearing. Reasonably, public hearings proper should have given priority to the masses. Instead, these hearings gave too much importance to government hierarchies who actually were collectively the owners or initiators of these Amendment proposals. In future, government ranks should only be informed of the public hearings rather than spend more time with them than the intended public.

4.3 Prime Minister can deputise presidency.

A lot of participants were against the Union Prime Minister deputizing presidency for several reasons including risking the union. What would be the relationship between the Zanzibar president and the Union state house at the time of the PM acting as union president? Contributors advised that in the absence of the President and Vice president, the Zanzibar president was the Union president and not otherwise. Further, it was said that the PM's qualifications were too far below those of the president and that there was a possibility of having a 21-year-old MP becoming Union PM when presidency called for a minimum of 40 years hence unconstitutionality.

4.4 State and religion

As one would expect from Zanzibar, many people including the Chief Minister in this case, spoke against secularism of the state from religious affairs. In the words of one Shibri Makame, the proposed amendments would bring about chaos in the case of Zanzibar if left as they were.

4.5 New issues forced in, popular issues left out

One generally agreed thing from Zanzibar was that the critical issues relating to the constitution of the Union had not been touched, whereas new issues were being pushed from nowhere. This was raised a huge challenge of the enactment process in Tanzania. In response, the delegation refuted the allegations saying the amendment was a result of Hon. Kisanga Commission's findings. However, participants countered this with the argument that a lot had been left from Kisanga Commission's report too.

4.6 Terms for MPs

One other painful issue to the delegation was a query raised by the floor regarding the Terms in power for members of Parliament and Representatives. This was further given emphasis by a participant who wanted unaccountable MPs to be voted out mid-way around 18 months after elections high were enough to evaluate one's promises. MPs were very reactive on this point however arguing that the Tanzanian public was never fully aware of the challenges that Tanzania MPs faced, saying if they did they would sympathise. However, summarizing this point one participant argued that it was again wrong for MPs to continue keeping secrets regarding the challenges they were facing.

4.7 Too many Amendments – A new Constitution needed now

During the discussions, it all emerged that people were saying clearly that we have had too many rounds of amendments of the 1977 URT constitution. Call was given to start a new process to write a new constitution that would respond the risks the two Union sides were facing as well as third parties. This call is a repeatedly vowed call even from amongst human rights and constitutional activists and experts across the country¹.

5. CONCLUSIONS AND RECOMMENDATIONS

The public hearings tradition is a noble one in young democracies such as Tanzania. This system is a potentially very fruitful process if Tanzania had to invest more on it. However, the manner in which the process was been run, from the experience of Zanzibar and Dar es Salaam poses a huge challenge ahead of everybody – Civil Society, government and parliament. The very fact that public hearings in Pemba had to be cancelled to spent more time with government officials (the flight schedule to Pemba coincided with an appointment to meet the president of Zanzibar) should teach us a big lesson hence the ironic title of this report – **public or government hearings?**

One general recommendation is that there I need for a systematic training and civic education on public hearings as well as constitutional making in Tanzania. SUNY- Tanzania has shown the way others must come and join the journey.

¹ The citizen's Coalition for a New Constitution, FernAct and LHRC for instance have repeatedly put this position forward in different forums discussing issues related to the URT Constitution since 1999.

ANNEX C

**TECHNICAL ASSISTANCE FOR THE STRENGTHENING OF TANZANIA'S
NATIONAL ASSEMBLY**

**A REPORT ON A SITUATIONAL ANALYSIS
ON PARLIAMENTARY COMMITTEE LEVEL
PUBLIC HEARINGS**

By

**Max Mmuya
Mohabe Nyirabu
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Commissioned by SUNY/BC

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CHAPTER 1

INTRODUCTION

Since the reintroduction of the multi-party competitive politics in Tanzania in July 1992, the Tanzania Government and its development partners have been taking various measures to enhance the commensurate functioning of attendant institutions. Along this line, the Tanzania National Assembly has similarly been undertaking various reforms so as to improve its legislative, oversight and scrutiny functions on public policy formulation, public expenditure and execution of projects.

This study builds on the work that was carried out in 2004 on improving representation particularly on increased citizen access to, understanding of and participation in the legislative process of the National assembly. In the previous study the focus was on assessing the relationship between Members of Parliament and their constituents and subsequently on creating a mechanism that would enhance such a relationship. The envisaged mechanism was the introduction of constituency level public hearings on bills. It was hoped that such a mechanism would facilitate closer contact between MPs and their constituents, as it would increase citizen access to, understanding of and participation in the legislative process of the National assembly.

Not surprisingly, the key finding was that while the concept of public hearings is relatively new in Tanzania, both Members of Parliament and their constituents warmly welcomed it. This finding induced considerable and commendable work which included training of a select group of MPs on how to conduct public hearings on bills at constituency level, execution of public hearings on bills in four pilot centres, etc.

Resulting from the benefits of the previous exercise and anticipating the challenges of the National Assembly after the October 2005 General Elections for Presidential and Parliamentary seats, the need for the institutionalisation of the concept of public hearing at the parliamentary committee level becomes imperative. It was on this basis that the Tanzania Parliament and their collaborating institutions, State University of

New York/Tanzania (SUNNY) and British Council (BC) decided to refocus their attention more towards enhancing parliamentary capacity in conducting public hearings on bills. It was also determined that appropriate elements of the exercise on instituting public hearings on bills at constituency level be dovetailed into the new undertaking.

While some knowledge is available on the efforts of the National Assembly to institute public hearings at committee level, questions remained regarding details and the operation of this practice. In addition, there is a challenge on how the process of institutionalisation can benefit from the work done on public hearings on bills at constituency level.

Methods of Data Collection

As a step towards the refocused work, it was considered necessary to conduct a situational analysis of the current practice of public hearings at committee level so as to draw out the strong points upon which the current task can build; reveal the limitations that need addressing and assess the needs required in order to regularise the practice. The situational analysis was conducted during the months of January and February 2005.

In order to generate the envisaged information, the Consultant Team (CT) administered questionnaire (See Appendix 1&2) to Bunge Officials as well as to stakeholders in Dodoma and Dar es Salaam. While in Dodoma, the CT had the opportunity to observe the process towards the enactment of the law to amend the 14th amendment of the Union constitution. This had its own importance because, among the approaches the team used to generate information was the observation of a public hearing on the 14th amendment of the Union Constitution organised by the subcommittees of the Committee for Constitutional, Legal and Governance held in Zanzibar, Arusha and Mwanza (January 13-14th, 2005) and Dar es Salaam. The passing of the bill into a law on February 12th, 2005 was a concluding stage whose preliminaries were already observed. Besides the observations, the CT reviewed a number of documents related to the practice of public hearings in the Union Parliament.

The questions raised with a variety of our respondents and on the basis of which we focused the preview of available literature revolved around the following major issues:

- Current practice of public hearings at committee level commenting on the timing of bills submission to committees, the public and other stakeholders
- Knowledge of the concept dimensions, structure and organisation of public hearing by both officials of the National Assembly and the Stakeholders
- Competence of officials in conducting public hearings at the committee level;
- Competence and involvement of civil Society in effectively participating in public hearings
- Materials and support that have to go with the execution of public hearings
- Funding for the execution of public hearings
- Impact of public hearings on the legislative, oversight, and policymaking processes
- Views on the improvement of Public Hearings

Following below is a report of the assessment of the practice of public hearing in the Union Parliament. The Report is organised under five sections. Immediately after this introductory section, we present a brief account of the structure of the parliament. This will be followed by the findings of the assessment focusing on critical emerging issues in the conduct of committee level public hearings. In the last section, we present and discuss our recommendations.

CHAPTER 2

PRESENTATION OF FINDINGS

2.1 The Structure of the National Assembly

To date, there are 295 seats in the National Assembly. Of these 231 are directly elected by voters from geographically defined constituencies. These constituencies cover both Tanzania Mainland and Tanzania Zanzibar. In addition, there are 48 special seats reserved for women, which are allocated to political parties on a proportional representation based on the number of constituency-based seats a party held in the National Assembly. Further, the President appoints 10 Members and 5 Members are from the Zanzibar House of Representatives (these are in addition to the Members directly elected from constituencies in Zanzibar). The Attorney General also has a seat in the National Assembly as an ex-officio member of the House.

The National Assembly currently has two committee systems, which comprises Standing Committees that are permanent in nature and whose members are chosen by the Speaker for five years. These types of committees are regarded as permanent committees in the sense that they are appointed for the life of a parliament and their work is of continuous in nature. As of now there are 15 standing committees: Finance and Economic Affairs, Public Accounts, Local Authority Accounts, Investments and Trade Social Services, Defence and Security, Agriculture and Land Development, Natural Resources and Environmental, Foreign Affairs, Social Welfare & Community Development, Parliamentary Privileges, Ethics and Powers, Steering, Economic Infrastructure, Constitutional, Legal and Public Administration and Standing Orders. Under this system, new terms of reference have been drafted for each committee and committees are responsible for the activities related to one or more ministries.

The second type of committees are the Select or Ad Hoc committees as commonly referred to in parliamentary practices are those which are constituted by the House or the Speaker to consider and report on specific matters and become functions officio as soon as they have completed their work on the subject matter.

The National Assembly typically sits four times a year, meeting in January, April, June and October. In total the legislature usually meets for up to a total of 70 days. The June session is the budget session and last for over one month. The other sessions typically meet for up to 14 days. In a way, the Tanzania National Assembly is a part time legislative body. The institutionalisation of the concept of public hearings seems to be affected by the structure of the Parliament, as it will be discussed below.

2.2 Current Practice of Public Hearings at Committee Level

(a) Attitudes of Public Officials and Civil Society Towards a Public Hearing Practice.

An institutionalization of a public hearing, indeed of any other organ, depends at least in part the support it enjoys from among its key actors and beneficiaries. One of the important findings with regard to the institution of a public hearing in this regard is that in the case of Tanzania, it is an evolving institution within the practice of the current multi-party Parliament and indeed in the general dynamics of political processes in Tanzania. In this regard, while different players popularly and widely acclaim a public hearing institution as a *sine qua non* institution in a democracy, its approval in parliament has been a contested one. Not surprising, founded within the legacies of the previously narrow/restricted framework of single party, non-competitive and confined politics of the single party system, it is bound to be "less popular, probably resisted" by certain significant centres and may not facilitate its smooth evolution to full practice.

In more specific terms, the situational analysis has found out that the government support for these public hearings is still limited. Some cabinet ministers for example, show some hesitations toward public hearings on bills¹. In an interview with some key parliamentary staff, it was pointed out that in its early stages they had been summoned before some cabinet ministers and required to give explanations as to why

¹ During the observation of the public hearing of the bill for the 14th amendment to the Constitution of the United Republic of Tanzania 1977, it became clear that putting that bill for hearing by the public was pressurised by the Speaker and Members of the Committee for Constitution, Legal and Public Administration and that the government was drawn into it more or less reluctantly.

the public had been invited to discuss a particular bill when such discussion was to be undertaken by the parliamentary committees and eventually by full parliament only.

However, the situation seems to have considerably improved in recent times where more bills and other matters are discussed through the system of public hearings. Several cases can be cited. These include the Sexual Offences bill (1999), the Land and Village Land bill (1999), the Public Service Negotiations Machinery bill, Occupational Safety and Health bill (2003), Procurement bill, the Office of Kadhi, the 14th Constitutional Amendment bill etc. These bills were put to a public input process where individuals and interest groups expressed their views and made some recommendations for the purpose of improving on the bills before they were enacted into laws. The role of civil society organizations as key stakeholders in public hearings meetings cannot be underestimated. The proliferation of CSOs has also been accompanied with increasing organised demand for space on matters of their interest and concern and in attempting to influence the legislative and policy-making process.

The situation analysis however also found out that while there is such significant improvement in the government attitude towards opening the bills to public hearing, as an evolving practice, there still are areas of restraining the process. Whether by design or by accident, a recurring problem that has resulted in the lack of free execution of the public hearing practice has been typified by delays by the government in releasing the bills to the National Assembly for onwards actions towards putting them for public hearings. This is besides what appears to be deliberate calculations on the part of the government to be very selective over which bills are released for a hearing process and which are not. In any event, one of the key findings is that the government plays a great role in determining the scope and pace of conducting public hearings. In this regard, the government's support becomes key in the actual execution of a public hearing. An institutionalisation of the practice would therefore be considered a step in the direct direction.

As an involving institution, it can be assumed that as time goes by, and encouraged by the emerging positive attitude towards public hearings on bills, the practice can be fully and freely operational.

(b) Limitations of the Legal Instruments for the Execution of a Public Hearing

The conduct of parliamentary public hearings at the committee level seems to be affected by several factors including the way parliament operates in general. First of all, Parliamentary Standing Rules do define the scope and modality of conducting public hearings at the committee level. According to Rule 88(6), the committee is entrusted with a mandate to invite members of Parliament (MPs) who are non-committee members and other people who are not MPs to attend and participate in the committee's meetings. The invitees are not allowed to vote for any deliberation.

Rule 88(6) of the Parliamentary Standing Rules has been in place since 1996. In the past only government officials were invited to attend and participate in the committee meetings. It was not until 1999 when the scope of the participation was broadening to include stakeholders from various sources particularly CSOs. The Sexual Offence Act (1999), the Land Act (1999) and the Land Village Act (1999) were enacted following extensive participation of CSOs through committee's public hearings. Since then, public hearings at the committee level have become prominent as a way of soliciting people's views about legislative bills and other policy matters.

However, many of the respondents expressed their concerns that although Rule 88(6) is regarded as an important provision that authorizes the committee to invite non-committee members including the public, it is not explicit in relation to the issue of conducting public hearings. As one of the Committee Chairperson put it during the interview, "the idea of conducting public hearings must be explicitly stated in the Parliamentary Standing Rules". It is indeed not stated that the committee is allowed to gather people's views on various matters including bills.

Besides the Parliamentary Standing Rules do not explicitly allow parliamentary committees to conduct public hearings elsewhere. The above-mentioned Parliamentary Standing Rule in its present form restricts the scope of the public hearings as they can only be conducted either in Dodoma or Dar es Salaam (88[3]). Public hearings can be held outside these two regions only with the permission of the Speaker and when the funds are available. Hence, all public hearings at the committee level have been conducted either in Dar es Salaam or Dodoma. It is only recently that

a committee on Constitution, Legal and Public Administration was able to conduct public hearings in six different regions of Mwanza, Tabora, Arusha, Mbeya, Dar es Salaam and Zanzibar Urban West.

As a result, the scope of public hearings has been very limited involving stakeholders largely from urban areas. One Parliamentary Committee Chairperson aptly put it that "parliamentary public hearings involve largely the elite rather than the general public". He cited the example of the public hearings done in Dar es Salaam on the proposed 14th Constitutional amendments which involved University professors, leaders of political parties, lawyers, religious leaders etc. Hardly any ordinary people showed up for such an important meeting about the proposed changes in the Constitution of the United Republic of Tanzania.

Furthermore, Rule 88(6) does not make it mandatory for the committee to hold public hearings over a particular bill or non-legislative matter but rather it states that the committee can allow MPs who are non-committee members and other people to attend and participate in the committee meetings. Rule 69(2) also provides for the opportunity for the committee to gather people's views in order to improve the proposed bill. It states, "After receiving a bill, the committee can invite any person to attend and give views about the bill. However, the rule further states that the committee can do so with the authorization of the Speaker of the House.

What the above amounts to is that in legal terms a public hearing is at the discretion of particularly the Speaker in terms of choice of the bill to be put for hearing purposes, time to hear it and the place to conduct the hearing. An explicit rule or legislation on this can immensely lead to a smooth execution of the public hearing mechanism.

(c) Dualism and Multiplicity of Layers in Preparation and Execution of a Public Hearing

• **Limited Parliamentary Autonomy**

The practice of conducting public hearings on bills involves not only several organs (multiplicity) but also government-parliamentary inter-linkage (dualism). It is dual

because in order for a bill to get to a public hearing, there is an initial process within the executive branch of the government, which, as we have just acknowledged, leads to, very often, the late release of the bill to the National Assembly. The other side of the dualism, is where a bill, having been released to the National Assembly goes through a set of steps towards its being presented to the public to solicit inputs from them.

The concern is not so much about the two steps. Definitely, a bill has to undergo a preparatory stage by the institution that wants the bill to be tabled, and this more often than not is the government. Secondly, there must be a specific agency that finally organises the public hearing of the bill. And this is the role of the National Assembly. The concerns here, in a large measure, relate to the fact that the dual process is not "autonomously" carried out within each of its two parts, the government and the National Assembly. Respondents to our interviews suggested that there seems to exist a shared mind between the two institutions. In most cases, the National Assembly tends to respond to government wishes and demands even at the expense of disregarding the importance of the soliciting public views on bills, or even adhering to standing rules that require bills to be read three times at intervals.

A more recent example involves the passing of the 14th constitutional amendment bill, which was not submitted for the first, second, and third readings at interval. Instead, it was read for the first, second and third reading in one session. In other words, the National Assembly cannot act as an independent deterrent to the government's push to act contrary to the Assembly's procedures. Instead, the tendency has been that the National Assembly will make sure that the bill is debated in accordance with the governments wish even if this means excluding the public from airing their views on the bills. It is in this connection, among other considerations, that there has been a growing voice to build an autonomous legislative institution that can serve as a balancing mechanism to the powers of the administration/government.

In addition to the dualism in the preparation a public hearing, there is a multiplicity of layers in the execution of the public hearing when the bill has landed in the National Assembly. The multiple layers include handling of the bill by a number of officers before a hearing can be heard. These include the parliamentary committees, the

Committee Operations Office, the Office of the Clerk, the Table Office, and the Registry Department. This makes it difficult to maintain the institutional memory about public hearings in the parliament. A newly established department on civic education is supposed to be the centre for coordinating and disseminating information on various parliamentary activities including public hearings. Yet, the department is still very new with limited budgetary allocation. There is the obvious need here to rationalise the process with the intention of harmonising the steps in the handling of the bill and establishing a more effective coordination of the public hearing activities.

- **Lack of time to conduct Public Hearings**

Besides the problem of limited parliamentary autonomy as a constraint to the execution of public hearings, there also is a problem of lack of time formerly set aside in a calendar form within which parliament can conduct public hearings on bills.

A summary of the process in the presentation of bills – towards a public hearing - until they are enacted into law is as follows. The bill submission to the National Assembly starts from the cabinet that sends bills to parliament. The Government Printer under the Office of the Prime Minister publishes bills. Then, in consultation with the Prime Minister, who is the leader of government business in the House, and the Chief Whip, the bill is released to the National Assembly through the Speaker who subsequently sends it to responsible parliamentary committee(s). According to the parliamentary sessions' calendar, the committee has about two weeks to review the bill and submit recommendations to the Minister responsible for the bill. It is within the space of these two weeks that the committee can solicit stakeholders' views through public hearings.

Evidently, the time that was planned here was for the parliamentary committee work without a public hearing process within it. This problem of limited time was clearly evident during the public hearing process for the 14th Constitutional amendment bill, which the consultancy team also had the opportunity to observe. The process in all the three centres of Arusha, Mwanza and Zanzibar was only rushed through and some enthusiastic participants did not have the opportunity to present their views. To

circumvent the problem, such participants were urged to provide their views via letters, e-mails and telephone, methods that we doubt as to whether they were really exploited by the public (See appendixes 4-6).

The problem of lack of time within which to conduct the hearing has always been compounded by the very limited availability of necessary documents, the bills upon which the submission of views by the public would rest. Previous efforts at resolving this problem required the office of the Prime Minister to send the bills to individuals MPs. The individual MPs were expected, on their own to make the bills available to the public. The process became very inefficient. Presently, the Prime Minister's Office has instructed the office of the Clerk to National Assembly to take over the responsibility of sending the bills to individual MPs. The problem is yet to be resolved under the new arrangement.

Additionally, many respondents pointed out that bills are sent to the National Assembly within a very short notice, giving inadequate time for committees to conduct public hearings if deemed necessary. Bills are supposed to be sent to parliament 21 days before the first reading [Standing Rule 67(1)]. At times, bills are submitted to the parliament two days before the first reading. As the Deputy Speaker said "almost more than half of bills get to the parliament very late".

Besides the particulars raised above on the late submission of bills to the National Assembly, according to the Director of Parliamentary Committees, the late release of bills makes it very difficult for respective committees to have a clear plan of public hearings. In short, committees lack information on when bills would be delivered to them and what is contained in them.

Yet, it is the committees that are supposed to identify relevant stakeholders and send invitations to various stakeholders and citizens to attend public hearings. Identification of relevant stakeholders becomes difficult if committees' members and clerks do not know the timelines of bills submission and their content. Thus, lack of a clear legislative time schedule for bill submission is indeed a serious hindrance to the effective conduct of public hearings.

2.3 Funding for Public Hearings.

Besides the issues raised in respect of problems associated with the structure of release of bills, a glaring problem is one related to the problem of funds to finance public hearings. It was disheartening for the CT to hear from one of the committee Chairpersons remarking very casually that there is no problem with availability of funds to finance public hearings. Probing further, the CT learned that the Honourable MPs and Committee Chairperson meant that if determined, there can always be funds set aside to run public hearings.

The situation on the ground however is that there is no specific budgetary allocation to committees to conduct public hearings. The public hearings are regarded as just normal committee meetings and they take place only when there are funding available. The CT learned that it depends on an active and creative Committee Chairperson and especially Committee Clerks to organise delivery of bills, for example, to stakeholders for public hearing purposes. Often, such creative Clerks would request allied organisations, with interest in the bill to provide transport, pay for a venue at which a hearing is to take place and even make sufficient copies of the bill for the stakeholders.

In the case of the 14th Constitutional Amendment bill which was put to a hearing process, it dawned on the CT that the copies of bills that were to have been delivered to stakeholders before the hearing were paid for through the generous support of the current program, SUNY/BC. Without that support, the process would have been adversely affected.

2.4 Competence of Bunge Officials in Conducting Public Hearings at the Committee Level.

- **Role of Committee Chairpersons**

Many committee chairpersons have demonstrated to be quite competent in conducting public hearing events. Experiences from public hearings events on the 14th Constitutional Amendments have demonstrated a great deal of competency among the chairpersons in Arusha, Mwanza and Zanzibar. In the Zanzibar case for example, in spite of irregularities not associated with the Chair, the proceedings were sufficiently

well led by the Chair, exploiting every opportunity to realize the objectives of the hearing.

However, several limitations exist. First, the picture about the way Chairpersons have been handling the hearings to date has value in that it appears to have been a procedure that was adopted to respond to certain limitations. The CT is not sure whether or not the Chairpersons are well versed with the standard procedures for handling public hearings. A public hearing has a set of procedures related to preparation of the hearing and then execution of the hearing process itself. Well groomed Chairpersons and their Clerks would assure that the steps leading to the execution of the hearing are put in place before embarking on to the actual hearing process. Similarly, the hearing process has to abide by hearing procedural rules. What happened with Amendment 14th hearing sessions in Zanzibar, Mwanza, Arusha and even Dar es Salaam was a moderation of the actual standard preparation and execution procedures. To this extent, there has to be an assurance that the Chairpersons and their Clerks are well versed with the standard procedures before any moderation is made. Even then, any moderation of the procedures should not compromise what a public hearing seeks to realise.

Secondly, as a concrete example of the limitations in the hearing that can arise out of failure to follow established procedures is the challenge to some Committee Chairpersons that they ought to handle the audience in an impartial and objective manner. Elements of partisanship dominated these public hearings to a varied degree. For instance, rather than analyzing the bill, significant amount of time was devoted to defending the bill under discussion. In Arusha for instance, the legal testimony provided by one of the members of the committee about the 14th Constitutional Amendments was largely a defence of the proposed changes.

Thirdly, is the use of expert testimony. It is either under-rated or simply its role is not known exactly. In all cases, lawyers from the Attorney General's Office were present to public hearing events in order to provide legal testimony. However, the presence of a state attorney is by virtue of Rule 88 (8) of the National Assembly Standing Orders, which requires the Attorney General to be represented during a hearing of a government bill. In short, there was no expert testimony in the broad context of

having an informed view independent of the parliamentary committee. Thus, their testimony was more of a defence of the bill rather than providing alternative positions on the subject at hand so that the public could better make informed contributions to the bill. In certain instances of public hearings the minister responsible presented the bill on behalf of the government. Other subject's experts were not invited to the meeting. In the case of the 14th Constitutional amendment bill, even in Dar es Salaam, where there is an abundance of experts in law, there was no effort made by the Committee to provide space for these experts so that they could offer alternative approaches to the issues before the m so that they make contributions to the bill. To this end, there is need to ascertain that the Chairpersons are clear about the standard procedures before any variations are made, for whichever sound reason.

- **Role and Competence of Committee Clerks and others.**

With regards to the performance of Committee clerks, committees' chairperson interviewed said that many of the Clerks are incompetent in performing their duties. One chairperson lamented, "I have to write public hearings' reports myself". Many clerks hold ordinary diplomas or equivalent qualifications on management training. Only a few are university graduates. Yet, the clerks happen to be chief advisors to their respective chairpersons on how best to carry out the public hearings events. Committee clerks with legal background tend to be performing better in their committees in relation to holding public hearings.

Another related problem is the misallocation of committee clerks by assigning them to committees not in accordance with their specializations. For instance a Committee Clerk who is a lawyer was transferred from the Committee on Constitution, Legal and Public Administration to a committee on Agriculture and Land Development. The B.Sc. holder clerk from the latter committee was then moved to the former. This tends to affect the efficiency in the committee work including public hearings.

Moreover, there is the problem of shortage of trained committee clerks. Committee Clerks usually record the proceedings. There is one committee clerk for each parliamentary committee. When public hearings are held in various regions at the same time, some of the parliamentary researchers, who have limited experience on

this task, are being asked to assist in recording the proceedings. Also, while conducting public hearings, committee clerks are engaged in various other assignments including administration and logistics, researching on various matters and recording the proceedings. Thus, shortage of qualified personnel is indeed a hindrance to an effective public hearing.

Besides the above, lack of and /or shortage of working tools is another problem. Committee clerks are expected to record proceedings of the hearing as they take place. The committee clerks, to the present days use old fashioned ways where they rely on their individual memories and hand write the proceedings which they then submit to an office secretary for typing. The risks of these procedures are numerous and need not be mentioned. To avoid them, there is an urgent need to equip the committee clerks with tools that facilitate accurate gathering of information and transfer them into texts promptly for prompt onward use.

2.5 Competences and Involvement of Civil Society in Effectively Participating in Public Hearings.

One of the most significant findings when the situation analysis was carried out by the CT for the constituency level public hearing on bills was with regard to lack of competence and involvement of the civil society in the political process. This was attributed at least in part to the fact that Tanzania has a limited history of multiparty legislative democracy and therefore the emerging civil society organizations tend to lack knowledge of legislative processes even though they may be well organized around a single issue and/or at implementing programs to address their particular concerns. And yet, in parliamentary systems, civil society organizations have a crucial role to play whether in lobbying legislators for policy change or in representing the ambitions of their constituents at public hearings.

During the current exercise, overall, it was observed that CSOs have not adequately grasped the totality of public hearings. Their understanding is basically limited to single issue which more or less mirrors what they have been registered to undertake. To be sure, many CSOs do not understand the structure of parliamentary committees. This could be partly due to lack of standardized procedure for civil society organizations to meet committees to raise issues of concern and it might also be

because committees do not have adequate links with the public and other stakeholders to receive concerns related to draft legislations. For example, it became apparent during this research that it is not entirely clear who distributes bills or how draft bills are distributed to interested parties.

The CT learned from the respondents that a majority of the general public remains disconnected from the system of parliamentary public hearings at the committee level. Indeed, this is similar to the findings from the 2004 study on MPs-constituents relations which concluded that the publics were not aware of their right and duty to meet with their MPs and engage them on a variety of issues related to the legislative, oversight and policy making process. Thus, despite their increasing popularity, public hearings are largely urban-based providing an avenue for elites' participation in the policy formulation process. Ordinary citizens are yet to become key stakeholders in the process. A system of sending invitations to selected groups to attend public hearing events have also contributed to further marginalization of the general public.

In most cases, a list of invitees includes CSOs representatives, academicians, religious leaders, political parties' leaders and other identified stakeholders. However, it is important to point out that although the organized citizenry in religious organizations and CSOs have been selectively involved in public hearings events, they too lack adequate information on the list of bills and their submission dates, hence limiting their ability to influence the policy-formulation process. Some CSOs have begun to take initiatives in solving this particular problem. For instance, in Dodoma, following this information gap, the Christian Council of Tanzania (CCT) is in the process of designing a bill-tracking system in order to be able to conduct effective lobbying and advocacy.

On the one hand, limited time and resources tend to restrict people's involvement in the public hearing process. On the other hand however, low level of civic education among majority of people contribute to their low level of participation. In Arusha and Dar es Salaam, for instance, there was very low people's turn out to the public hearing event on the 14th Constitutional Amendments. Commenting about the low level of civic education among the general public, some of the Committee Chairpersons explained, "people are ill-informed about the separation between the parliament and

government. Another Chairperson commented, "When we hold public hearings, many people tend to address issues to us as if we are the government or the judiciary." In addition, the technical and English language of bills significantly restricts ordinary people's involvement in public hearings events. It is in this context in which public hearings at parliamentary and constituency level seem to tangle as a way of not only influence the policy-making process but also a tool for civic education.

2.6 Impact of Public Hearings on the Legislative, Oversight and Policy-Making Processes

Public hearings are organised with the explicit objectives of soliciting more views on the subject of the hearing process in order to benefit from the increased opinions as well as legitimate the outcome of the issue under deliberation. The impact of a public hearing can be ascertained by the extent at which the hearing process grows popular and the degree at which people's additional views are used to improve on the bill or draft policy.

Since 1999 the National Assembly has increasingly initiated the practice of committee's holding public hearings as part of their deliberations on legislation. As part of the legislative process, committees hold public hearings where members of the public and stakeholders from different societal groups make presentations on draft legislation. These public hearings have usually been held mainly in Dar es Salaam during the two-week prior to each legislative session. This involvement of the legislature in the law and policy making process has resulted in occasions when bills have been amended or withdrawn based on input from National Assembly and its committees. As examples, one can go as far back as 1996 when the national Non Governmental Organization policy was first submitted for discussion and called for input from stakeholders. The debate that ensued led to a series of other consultations until recently when the policy has been concluded with a number of inputs from the stakeholders taken on board. Then came a number of bills that included the 14th Constitutional Amendment bill which some of its provisions have been modified or even shelved at least for the time being.

Besides this, and in spite of the limitations discussed earlier, the current situation is that, by and large, legislation is now habitually referred to committees for

consideration and within those narrow time confines, the committees solicit public views on the bills. Thus by and large, public hearings are increasingly receiving attention and one can extend the argument to suggest that that even the current effort at strengthening the practice is alongside that positive recognition of the efficacy of the public hearings.

2.7 Issues in Committee Level Public Hearings and Constituency-Level Public Hearings on Bills

The current study has brought us all round to what the CT had previously undertaken in 2004 when again commissioned by SUNY/ British Council. The 2004 study focused on the modality and procedures for conducting public hearings on bills at the constituency level as a vehicle for enhancing MP-Constituents relationship and improving the legislative process as a whole.

A number of the findings from the 2004 study have clearly revealed themselves in the current one. We have hinted at various places in this report. For the sake of clarity, we summarise them below in order to facilitate their possible incorporation in the effort to improve and institutionalise the practice of public hearings at committee level as it is envisaged under the current project.

First, there has been poor involvement of people at the grassroots level in the policy formulation, oversight and legislative processes. In order to enhance public hearings on bills and other policy matters, there is need for an informed citizenry.

Second and related to the first, the existing low level of public awareness on the importance of people's participation in the law-making process as well as low level of civic education in general tend to undermine the effectiveness and the benefits of public hearings.

Third, budgetary constraints make it difficult for public hearings to be regularly and effectively held either at the constituency or parliamentary committee level.

Fourthly, documents that are put forward for hearing purposes must be readily available and presented in a language those participants as well as the MPs they can easily understand and communicate to one another.

CHAPTER 3

RECOMMENDATIONS ON INSTITUTIONALIZATION OF THE CONCEPT OF PUBLIC HEARINGS AT COMMITTEE LEVEL

Deriving from the issues raised from the situation analysis below we summarise some critical recommendations that can go along way towards the institutionalisation of public hearings at committee level. The CT realises that some of the recommendations will go beyond the scope of the current project. We nevertheless present them here to save a possible cues which can lead to further consultations between Bunge, the Government and their development partners: SUNY and BC.

The recommendations are categorized into four main areas, namely, institutionalization of the concept of public hearings at the parliamentary committee level, procedural conduct of public hearings, training needs, and dovetailing strategy for easy management. They however are reflective of issues discussed under all the seven units and their subunits above.

3.1 Institutionalization of the Concept and the Practice of Public Hearings

3.1.1 The first recommendation is about time. The National Assembly should obtain information from the Executive on imminent legislation in as sufficient time as to allow it and share this with committees so that they can consult with different stakeholders. The time for dispensation legislation needs to cater for public participation. This could be addressed through forward planning and better communication between the Executive and Legislature so that bills are spread over a period of time throughout the year and sittings and hearings better planned. Parliament should call for better consultation with the Attorney General's office when drafting legislation.

3.1.2 The Legislature needs to demonstrate its political will towards the practice of involving the public in the policy-making process through public hearings. It should therefore develop a formal public hearing programme, to be housed within an appropriate unit, which may include the Civic Education Unit, and

with clear objectives, programmes and responsibilities, and be allocated sufficient staff and material resources to implement its mission.

- 3.1.3** In order to broaden the scope of public hearings, Parliamentary Standing Rules need to be revised so as to provide for the explicit and clear provision that allow for the holding of public hearings, to make it mandatory for parliamentary committees to hold public hearings on bills assigned to them. It should also provide for such a hearing to be held on as wide a space as may be appropriate than just restrict it to Dodoma and Dar-es-Salaam. The rule should also provide a framework for the conduct of public hearings
- 3.1.4** To address the issue of multiplicity of layers regarding a bill/policy that has to be put to public hearing, there is need to rationalise and strengthen the Office of the Clerk to the National Assembly. The spirit should be to speed up the delivery of bills as well as enhancing the supervision of the work of committee clerks in managing various activities associated with public hearings.
- 3.1.5** The importance of funding, specific for public hearing processes has been recognised. With the rationalisation of the office of the Clerk to the National Assembly, alongside it, and under the specified agency/unit, funds for public hearing processes should be allocated and accounted for separately.
- 3.1.6** Just as there are known and laid out procedures for appointment of Committee Chairpersons, there should be commensurate known, laid out and predictable procedures for the appointment of committee clerks. We are proposing training needs that can serve as basis for recruitment of future clerks. At this point, anticipating this additional role to serve as clerks to a hearing process, the recruits should be required to demonstrate competence to serve as such before they are recruited. Those already in service, a training exposure on their role and responsibilities should be put in place.

3.2. Procedural Conduct of Public Hearings

3.2.1 There is a need to design an efficient system of disseminating bills to MPs, stakeholders and the public in general.

3.2.2 Translation of bills from English to Swahili prior public hearings meetings should be given a priority.

3.2.3 Sufficient time should be set aside for publicity of public hearings events so as to allow for more people to attend meetings and prepare their views on the bill. A two-week notice of publicity is usually recommended. Publicity should go hand in hand with the distribution of bills to the public.

Put differently, committees should make use of existing government structures such as local councils, churches and educational institutions to publicize information to the public on issues to be put to public hearing. Chairpersons of committees should issue press releases after each meeting on issues discussed and distribute this among the media organs.

3.2.4 Invitation to committee hearings should not be very restrictive. Public hearings on bills and other matters should be made open to include the general public as well as organized social and political groups rather than to only few selected groups.

3.2.5 Subject experts should be invited, preferably in advance of the hearing process so that they can provide competing positions to the public. On the basis of such alternative and competing positions on the subject, the public can opt for the ray of light of their preference upon which to base their individual or group input. Subject's experts can be invited from the government, CSOs, academic and research institutions and other specialized agencies within the local area where the hearing is to take place or outside it.

3.3 Training Needs

3.3.1 There is need to have training programme on competency building on how to effectively conduct public hearings at both constituency and parliamentary committee levels. This training should target the Committee chairpersons, Committee clerks, Parliamentary researchers, Parliamentary staff on the Civic education department, and MPs in general. Important themes for the training

should include agenda setting, audience-handling techniques, customized ways to involve CSOs, media, experts, and the general public etc.

3.3.2 The National Assembly has done considerable work in the production of leaflets on aspects of the legislature. As a step forward, the leaflets already produced should be put in simpler language to cover issues such as the role of the legislature, the MPs and public hearings. These leaflets should be distributed to general public through channels that can reach various groups in the wider setting.

4. Strategy for Synergy Building between Constituency and Committee level Public Hearings

Under 2.7 above, we have raised issues on previous efforts at instituting public hearings on bills at constituency level. Presently, when there is an effort to institutionalise public hearings at committee level, there are a number of aspects from the previous efforts, which can enhance the current efforts. It therefore suggested that there is need to combine both constituency level and parliamentary committee level public hearings. This will enhance public awareness of the public hearings process and improve participation of the general public in the public hearings events. Besides, the constituency level public hearings will supplement the committee level public hearings at the regional and grassroots level. The two levels will be feeding each other thereby making it possible to have increased people's inputs to the legislative process.

Public hearings at the constituency level can be less formalized probably conducted largely in a public meeting fashion by individual MPs in their respective constituencies. The Ward administrative machinery can be used as a coordinating unit responsible for dissemination of bills and publicizing the public hearing events. Leaflets about the role of the legislature, MPs and the importance of public hearings can be disseminated through the same structure. Local media present at the district/ward levels should be utilized in disseminating information about public hearings meetings. The MPs can network/liaise with CSOs, academic institutions in the area, religious leaders, professional retirees and others to provide specialized knowledge about the particular bill.

Public hearings at the parliamentary committee level can be formalized, conducted in a highly structured manner. Committee members and clerks under the guidance of the Committee chairs will be responsible in holding public hearings meetings. The committee will invite the public and specific specialized groups directly touched by the bill. Given the limited budgetary allocations, these meetings can be done at the zonal and regional level. The committees will receive inputs from the constituency-level public hearings and incorporate them into their reports.

Beyond that, as was expected of public hearings on bills at constituency level, the overall result of this unified streak of opinion inputs from the constituency to the National Assembly via the parliamentary committees, should lead to closer constituents/MP relationship as it will confer more legitimacy to the MPs and individual pieces of legislation, scrutiny and oversight.

4. APPENDICES AND ANNEXES.

Appendix 1

QUESTIONNAIRE No. 1

QUESTIONNAIRE FOR ASSESSING CAPACITY, NEEDS AND MODALITY OF CONDUCTING PUBLIC HEARINGS IN TANZANIA'S NATIONAL ASSEMBLY

A. QUESTIONNAIRE FOR THE SPEAKER/MPS/COMMITTEE CLERKS AND OFFICIALS

I. PERSONAL DATA

Gender-----
Age: -----
Educational Level-----
Religious Affiliation-----
Residence: Town-----
Region-----
Occupation: Institution-----
Title-----
Duration of Service with Bunge:-----

II. KNOWLEDGE OF THE CONCEPT AND DIMENSIONS OF PUBLIC HEARING.

Meaning-----
Objectives-----
Significance of
Types-----
Roles of-----

III. STRUCTURE AND ORGANIZATION OF A PUBLIC HEARING

3.1 Who are the key actors and institutions necessary to a Public Hearing?

(i) -----
(ii) -----
(iii) -----
(iv) -----
(v) -----
(vi) -----
(vii) -----

3.2 Define the roles of key actors in a public hearing.

- Committee Chair

V. CURRENT PRACTICE OF PUBLIC HEARINGS AT COMMITTEE LEVEL.

(How it is conducted: Level of Competence, Strengths, Weaknesses, Opportunities and Threats)

PROCESS.

5.1 How have public hearings been structured and organized to date?
Please describe how a public hearing you may have served on was organized and structured (proceedings to the public hearing)

5.2 Please describe the process a public hearing you may have served on went through from step one to the adjournment of the hearing.

5.3 Comment on the following

(i) What time are the bills/issues selected for public hearings released to the public/stakeholders?

(ii) To what extent is the bill/issue due for public hearing communicable to the public (language of the bill, assistance to understand the bill, etc.)

(iii) Funding for the execution of public hearings
Is the funding set aside for conducting public hearings at the committee level adequate?

(iv) Post hearing use of public views in the onward legislative, oversight and or policymaking processes.

To what extent have public hearings had impact on the onward legislative, oversight or/and policymaking processes?

What role does a Committee chair have during the process of conducting public hearings?.....

- **Committee Clerk**

What role does a committee clerk have in the process of conducting public hearings?.....

.....

- **Parliamentary Researcher**

What role does a parliamentary researcher have in the conduct of the public hearings at the committee level?

.....

- **Experts**

What role if any do experts have in the conduct of public hearings at the committee level?

.....

- **Parliamentary Public relations Officer**

What role does a Parliamentary Public Relations Officer have in the conduct of public hearings at the committee level?

.....

- **The Media**

What role does the media have in the whole process of conducting public hearings at the committee level?.....

.....

IV. PROCESS

4.1 Spell out the key steps in a typical public hearing forum

- (i) _____
- (ii) _____
- (iii) _____
- (iv) _____
- (v) _____
- (vi) _____
- (vii) _____

4.2 MATERIALS AND SUPPORT

(Important resources and logistical support that go with public hearings).

What are the important resources and logistical support actions that have to with a public hearing process?

COMPETENCE

(A) OFFICIALS

5.4 Based on your experience, how competent have the Committee chairpersons been in conducting public hearings at the committee level? (e.g. in understanding the content of bills, defining the agenda, engaging the audience etc.)

- Highly competent
- Somewhat competent
- Not competent (describe).....

5.5 Based on your experience, how competent have the committee clerks been in conducting public hearings at the committee level? (e.g. understanding the content of the bills, note-taking, data collection, etc.)

- Highly competent
- Somewhat competent
- Not competent (describe).....

5.6 Based on your experience, how competent have committee members been in conducting public hearings at the committee level?

- Highly competent
 - Somewhat competent
 - Not competent (Describe).....
-

COMPETENCE

(B) CITIZENRY

(i) Based on your experience, how informed have the citizenry been about the essence and importance of parliamentary public hearings at the committee level?

(ii) How do you assess the turnout of people in attending public hearings sessions?

FREQUENCY

5.7 How often do you conduct public hearings at the committee level?

5.8 How many bills have been brought to your committee for public hearings?

INVOLVEMENT OF THE PUBLIC

5.9. Conducting public hearings usually involve the participation of different stakeholders. Describe how you enlist the participation of the following stakeholders.

- Experts and for what role

- The Media and for what role

- Civil Society groups and for what role

- The general public and for what role

6. INSTITUTIONALIZATION OF THE CONCEPT OF PUBLIC HEARING

(Set of views and recommendations on how to institutionalize the concept of public hearing)

6.1 Frequency and Time allocation for steps in the hearing process

6.2 Do you think that the time between publication of a bill and its passing in Parliament is sufficient for discussion between MPs and different stakeholders and constituency?

- a) Yes.
Explain:.....
.....
No. Explain.....
- b) I don't know

6.3 Do MPS have enough time to debate bills?

- a) Yes. Explain.....
- b) No. Explain.....
- c) I don't know.....

6.4 Do you think that there is ample time for various stakeholders to provide input to bills before they become laws?

- a. Yes. Explain.....
- b. No. Explain.....
- c. I don't know

6.5 Do you think that public hearings provide adequate means for engagement with MPs on the process of legislation?

- a. Yes. Explain.....
- b. No.
Explain.....
- c. I don't know

6.6 In what areas should the institution of public hearings be improved?

Area 1. _____
How_____

Area 2. _____
How_____

Area 3 _____
How_____

Area 4 _____
How_____

Area 5 _____
How_____

7 Have public hearings on important issues (land, sex offences etc.) been constructive in the democratization of Tanzanian society?

- a) Yes. Explain.....
- b) No. Explain.....
- c) I don't know

8 Do you think that committee hearings on bills preceding legislation have been useful in Tanzania?

- a) Yes. Explain.....
- b) NO. Explain.....
- c) I don't know.....

9 Does your civil society organization try to influence bills and legislation?

- a) Yes. Explain.....
- b) No.
Explain.....

10 **Mention four important factors that limit civil society's engagement with Parliament in the legislative process(e.g. public hearing).**

- 1.....
- 2.....

11 **Mention four factors that limit Parliament's engagement with the public in the legislative process.**

- 1.....
- 2.....

Appendix 2

QUESTIONNAIRE No. 2

**FOR ASSESSING CAPACITY, NEEDS AND MODALITY OF CONDUCTING
PUBLIC HEARINGS**

B. QUESTIONNAIRE FOR STAKEHOLDERS

1. PERSONAL

Gender-----
Educational Level-----
Religious Affiliation-----
Residence: Town-----
 Region-----
Occupation: Institution-----
 Title-----
 Age-----

2. PUBLIC HEARINGS: CONCEPT

Meaning/Concept-----
Objectives/Purpose-----
Types-----

3. EXPERIENCES WITH PUBLIC HEARINGS

Have you had the Opportunity to take part in public hearings?

Yes-----NO-----

If Yes

When-----

Where-----

Subject(s) of the hearing-----

Who organized it-----

How did you assess it-----

What did other participants say about it-----

4. PUBLIC HEARINGS: PROCESS

How did you get information about the public hearing?-----

When did you get information on the Public hearing?-----

Describe briefly the sequence of events (steps) in the hearing process.

5. PUBLIC HEARINGS: TOOLS AND SUPPORT

What materials/documents were available to you and other members on the subject of the public hearing? -----

When were they made available to you? -----

What support arrangement were availed to you to enable you understand the subject of the hearing? -----

Did other people know what happened at the hearing (reporting)-----

How did they get the information? -----

* How did you rate the "managers" of the proceedings/hearing process?

Very Competent-----

Sufficiently Competent-----

Not Competent-----

* For any choice, please explain.

Where (premises) have public hearings been previous been held?

6. PUBLIC HEARINGS: INSTITUTIONALISATION

- Regularization (Time Table)
- Resource Allocation – (Budgeting)
- Organizational Recognition (Office (rs) Provision,

How often are public hearings held? -----

How often should public hearings be held? -----

7. PUBLIC HEARINGS: IMPROVEMENT

In what areas should the institution of public hearings be improved?

Area 1. Which-----

How-----

Area 2. Which-----

How-----

Area 3. Which-----

How-----

Area 1. Which-----

How-----

Area 4. Which-----

How-----

Appendix 3

LIST OF RESPONDENTS TO QUESTIONNAIRES:

Hon. Pius Msekwa, Speaker of the National Assembly
Hon. Juma Akukweti, Deputy Speaker of the National Assembly
Hon. Foka, Clerk to the National Assembly
Hon. Janguo, Athumani, Chair, Constitutional and Legal Affairs Committee
Hon. Njelu Kassaka, Chair, Finance and Economic Affairs Committee
Hon. William Shellukindo, Chair, Trade and Investment Committee
Hon. Prof. Mgombello, Chair, Economic Infrastructure Committee
Hon. Nh'unga MP. (Secretary – CCM Party Caucus)
Hon. Lwakatare MP (CUF), Leader of the Opposition in the House
Ms. Justina Shauri, Committee Clerk, Economic Infrastructure Committee
Ms. Phoebe Mbagi, Director, Committee Operations
Mr. B. F. Mtei, Parliamentary Librarian
Mr. James Waburg, Committee Clerk, Finance and Economic Affairs Committee
Mr. Mloka, Committee Clerk, Constitutional and Legal Affairs Committee

Other Stakeholders

Prof. Ruth Meena, Envirocare
Rev. Kinyau (Assistant to the Bishop, ELCT)
Rev. Dr.Mtaita (Secretary General CCT)

DOCUMENTS CONSULTED.

1. Kanuni za Bunge (2003)
2. The Constitution of the United Republic of Tanzania 1977 as amended
3. Order paper (Orodha ya Shughuli za Leo – February 1st, 2005)
4. Order Paper (Kikao cha Tano, 7th February, 2005)
5.
 - (a) Taarifa ya Kamati Ndogo - Arusha
 - (b) Tarifa ya Kamati Ndogo – Mwanza
 - (c) Tarifa ya Kamati Ndogo – Tabora
6. Maoni ya Kamati ya Katiba, Sheria na Utawala Kuhusu Muswada wa Sheria ya Mabadiliko ya Kumi na Nne katika Katiba ya Jamhuri ya Muungano wa Tanzania ya Mwaka 1977, Ofisi ya Bunge, Dodoma, Januari 2005.
7. Sheria ya Mabadiliko ya Kumi na Nne katika Katiba ya Jamhuri ya Muungano ya Mwaka 1977. [The 14th Amendment to the Constitution of United Republic of Tanzania 1977].

Appendix 4

OBSERVATION OF PUBLIC HEARING PROCESS: SUMMARIES .

A REPORT ON PUBLIC HEARING ON THE 14TH CONSTITUTIONAL AMMENDMENT BILL:

4.1 ZANZIBAR CENTER.

1. Sub-Committee on Constitutional, Legal and Leadership Affairs (Kamati Ndogo ya Mambo ya Katiba, Sheria na Utawala)

Members of the Sub-Committee:				
s/n	Name	Title/Sub-Committee	Party	Constituency
1.	Hon. Juma Suleiman N'hunga (MP)	Sub-Committee Chair Chief CCM Party Whip	CCM	Dole, Unguja(Zanzibar)
2.	Hon. Khamis Salum Ali (MP)	Member, Minister without Portifolio, President's Office	CCM	Nominated MP by House of Representatives
3.	Hon. Grace S. Kiwelu	Member	CHADE MA	Women Special Seats
4.	Hon. Ramadhani Hashim Khalfan	Member	CCM	Bagamoyo
5.	Mr. Zulu	Secretary,	-----	Bunge Secretariat

1. ORGANIZATIONAL ISSUES

1.1 Availability of the Bill and other Necessary Documents.

According to the Bunge Secretariat Official in Zanzibar, Mr. Ramadhani, as at 9 am. On the 13th of January, the first day of the hearing proceedings, there were only nine (9) copies of the Bill for the 14th Constitutional Amendment and the same number of copies of the 1977 Constitution (2000 Version) which is to be amended.

Implication and Solution to the Problem

This meant that the respondents could not access the necessary documents for their effective contribution to the intended debate on the amendment.

The immediate effort to resolve the problem of non-availability of the basic documents and the attendant one of lack of competence articulate the issues in the bill and the constitution, during the morning session of the first day, the Secretary to the Sub-Committee presented the highlights of the provisions of the amendment while

the audience strived to get more details by sharing the available copies of the bill and of the constitution. In the course of the proceedings themselves, the Chairman of the sub-committee and other sub-committee members expounded on the issues of the bill when necessary, assisted by both the official from the Bunge Secretariat as well as by a legal official from the Ministry of the Constitutional, Legal and Leadership Affairs, one Mr. Malaba, who was in attendance.

As a more lasting solution to the above problem, consultation between members of the sub-committee, the Bunge Secretariat and representatives of SUNY in attendance, more copies of the bill were reproduced and distributed to participants during the second session of the first day and subsequent sessions during the second day.

1.2 Role of the Media.

There was little evidence that the hearing had media coverage at this specific centre before, during or after the hearing. During the hearing process on day 1 and day 2, there was a lone camera man from the House of Representatives Offices who was recording the process probably for office use and not to publicize and/or promote the proceedings.

2. TIMING: APPROPRIATENESS OF THE DATES FOR THE HEARING.

The Hearing in Zanzibar was slightly impaired because the first day of the hearing was immediately preceded by the previous day's 41 year Revolution Celebrations. There may still have been a linger of a festive mood in the minds of the public into the hearing day. Secondly, the hearing was delayed for a few hours because the seats for the audience at the House of Representatives hall where it was held were the same ones which were used at the Stadium, several kilometres away where the celebrations were held and they had to be ferried back to the hall the on the hearing day for the purpose.

The second day was a Friday where in Zanzibar it is a prayer day cum un-official holiday. The proceedings were likely to be somehow impaired again under such circumstances.

One must however qualify this by recognizing the unique interest Zanzibaris have always demonstrated on politico-constitutional issues, especially now towards the elections later this year. The points raised hardly adversely affected the audience. The Hall was sufficiently filled up on both days and during all sessions.

It still remains an issue to take into consideration in other settings and situations, that the days and timing when the hearings take place do not obstruct or impair the process.

3. PARTICIPANTS AND AUDIENCE.

It was abundantly clear that there was a concept that backed up the participation of the audience.

There was a recognized presence of religious leaders on the morning of the first day. The audience was mostly and understandably men Muslim leaders dotted here and there by some women who also had a strong inclination towards issues surrounding religion, Islam, the Zanzibar society and what the constitutional amendments would imply for these.

The afternoon session was attended by participants from the legal field

The morning of the second day, Friday the 14th January, 2005 was for Government Officials (Permanent Secretaries, Directors of Government Departments as well heads of offices such as state agencies, the police etc. mixed with some non-state actors.

There was significant interest taken by the top Zanzibar government leaders. On the noon of the first day, the subcommittee had courtesy call with the Zanzibar Chief Minister, Hon. Shamsi Vuai Nahodha. During the afternoon of the second day, the sub-committee had audience with the Zanzibar President, Hon. Amani Abeid Karume.

The audience was visibly elite in composition. It was made up of people with substantial education, gainfully preoccupied mostly in the public rather than private sector.

All participants were African, which was unusual for Zanzibar with a significant Arab presence.

For all sessions on day 1 and 2, there were hardly any youths.

Members of the opposition parties were hardly visible if any at all. If there were any, they must have been from very low levels of the respective parties hierarchies. The Church was significantly absent.

4. APPROPRIATENESS OF THE VENUE.

When considering the question of Participants and audience above, it was remarked that the participants came from an elite group. This was in a sense underlined by the choice of the venue where the hearing was to be conducted: The Hall which is on the upper floor of premises where members of the Zanzibar House of Representatives conduct their business. This is an area where functions of significance take place. It is under 24 hour guard by the paramilitary (FFU).

Otherwise, for the invited elite, indeed for any would be invited participant, it was a pleasant place, cool and clean. Only that It is a place where the ordinary Zanzibari would not contemplate going to. It is restrictive.

In our estimate it could have been possible to just step out of those premises to the public grounds just across the road at the Mnazi Mmoja grounds.

5. PROCEEDINGS AND THE STRUCTURE OF THE HEARING PROCESS.

The Hearing process began with an introduction of the members of the Sub-Committee and the team of people the sub-committee was around with. This was followed by a presentation of the purpose of the "meeting".

The hearing was then to start but this was obstructed by the protest from the audience that they did not have the necessary documents (the Amendment Bill and the constitution). As stated under 1 above, the problem was "rectified" and the hearing began.

There were no hard and fast rules on how the presentation was to have been organized.

- The public could pick any item to present views on.
- There was no time limit set or agreed on within which an individual could make his/her presentation.

However, at some points during the proceedings, the Chairman directed the public on areas the sub-committee considered appropriate. For example, the Chairman at one point indicated to the audience that the task of the sub-committee was to merely collect the publics' views and not engage with them or among the members of the audience in a dialogue. He further clarified that due to several factors, the sub-committee would be inclined to clarify issues that may not have been clear.

The sub-committee made extensive use of other people it had around it including ourselves to clarify issues that may not have been clear to the public (and may be the sub-committee itself).

Due to lack of hard and fast rules on how the hearing was to be conducted, the proceedings were skewed in favour of two areas. A specific one on Freedom of Worship and a much broader issue on the Zanzibaris perceptions about their place in the Union. In that regard, most of the other key elements in the amendment bill were either only glossed over or completely ignored. Surprisingly, this was also the loud voice of the Chief Minister at the audience the sub-committee and ourselves had with him on the noon of the first day.

At every appropriate time, the Chairman and other members of the sub-committee reminded the audience that they could also send their views to them in writing by the 20th of January, 2005.

Appendix 5

4.2 MWANZA CENTRE

The Parliamentary Committee on Constitution, Law and Public Administration consisting 23 members embarked on holdings public hearings at six selected zonal centers (Arusha, Mwanza, Mbeya, Tabora, Zanzibar, Pemba and Dar es Salaam) to gather public views on the bill on the 14th constitutional amendment. The proposals cover a wide range of amendments including creation of an independent electoral commission, increasing the number of women seats from the current 20 percent to 30 percent of all seats available in Parliament, enhancing freedom in the constitution and separation of powers to provide for the Prime Minister serve as an acting President in the case the President and Vice President are outside the country instead of the present situation which provides for the Chief Justice and the Speaker.

This report covers the hearings held by the sub committee in Mwanza on the 13-14 January 2005. To begin with, initially the public hearing meeting announced that it would be held in the Mwanza Regional Administrative Secretary's Office. The venue was shifted to a more public venue at Gandhi Hall. However, it was realized that the hall was being used a voter registration center. Eventually, Mwanza City Hall was selected as the venue. The City Hall was easily reached, comfortable and had space to sit hundreds of people. I witnessed the hearings held on the 14th January 2005 and thus this report covers that particular day.

The meeting began at 9.40 am with welcoming observations from the Mwanza Urban District Commissioner who urged people to participate without any fear in this important democratic exercise. He told the gathering that the mere fact that the committee is in Mwanza was windfall to the people of Mwanza and therefore people should use the occasion to practice democracy instead of complaining. After that he welcomed the chair of the sub-committee to continue with the business.

The Parliamentary Sub- Committee on Constitution, Legal and Public Administration that visited Mwanza comprised the following members:

Hon. George M Lubeleje (CCM, Mpwapwa)-Chairperson
Hon. Nimrod E Mkono (CCM, Musoma Rural)
Hon. Wilfred M. Lwakatara (CUF, Bukoba Urban)- Leader of the Opposition in Parliament
Hon. Mwanne I. Mchemba (CCM, Special Seat Women)
Mr. Emmanuel Mpanda, Committee Secretary

The Chair began the meeting with a brief overview of the purpose of the meeting by informing the gathering that their presence is not to deal with problems that they may be facing in their areas. Rather, is to gather views from the public and other stakeholders on the bill that is proposing to effect a number of amendments to the constitution. Secondly, he informed the gathering that the committee is working on behalf of Parliament, which will make the final decision. To that extent they will not be responding and answering questions on whether the views that have been offered by citizens and various stakeholders have been accepted or rejected. After this introduction, he asked each members of the committee to introduce her/himself. He

also introduced State Attorney Jackson Bulashi and Emmanuel Mpanda from Bunge Office who was the secretary to the committee.

After the introductions, Hon. G Lubeje provided a summary of the various proposals and in the process drew attention to specific issues that they are seeking public views. Consequently, he opened the meeting for views.

SPEAKING ORDER

The Chair suggested that contributions should be discussed in sequence moving from one clause to another. However, numerous speakers who wanted the freedom to debate any clause which one prefers rejected this suggestion. Some speakers said that they would not be attending the meeting for the whole day and therefore this would deny the opportunity to contribute to the gathering. In the end it was agreed that one is free to air his views on any clause or proposal. It was further agreed to limit the time for speaking to five minutes to allow more people to air their views. Finally, each speaker was required to introduce herself/himself before speaking.

ATTENDANCE

When the meeting began, there were about 30 people in attendance. However, as the meeting progressed, the number of people increased to 75. This number constitutes people who attended any part of the session during the hearings. Some people left immediately after presenting their views. A very interesting observation from the self-introduction, just before the hearings began was the dominance of the CCM functionaries in the gatherings. Indeed, a majority of people who attended was from the ruling party. Other political parties represented were Civic United Front (CUF), Chama cha Demokrasia na Maendeleo (CHADEMA) and United Democratic Party (UDP). Additionally, there were very few women in attendance. It is also important to note that the civil society was absent as it can be construed from self-introductions.

AVAILABILITY OF THE BILL AT THE VENUE

Undoubtedly, the availability of the bill under consideration is an important aspect to provide an informed debate on the proposals. The situation in Mwanza was such that only few copies of the bill were distributed to the public. As a matter of fact only those who arrived early had access to this important document. Obviously, this limited meaningful contributions by the public who lacked an important resource. Furthermore, the lack of the bill provided a situation for members in attendance to discuss issues that were not part of the bill.

EXPERT TESTIMONY

One of the most important requirements in the conduct of public hearings is the presence of expert testimony to provide expertise on various issues under discussion. The reason for their presence is the technicality of the bills. Indeed, sometimes the language is so complicated that one needs a lawyer to get the general picture of the law. Alongside this, a bill is often on technical subjects/issues, which again few, if any Member of Parliament or citizens at all are conversant with. The suggestion of this is that even if a Member of Parliament read the bill there is still the necessity to understand the issues in a more comprehensive manner.

During the hearings in Mwanza, the committee used the services of state attorney Jackson Bulashi and also on several occasions Hon. Nimrod Mkono, who is also a

prominent lawyer, did offer services of clarifying some issue that came up during the hearings. It is useful to emphasize that expert testimony in the real sense of the word was lacking. The presence of a state attorney is by virtue of Rule 88 (8) of the National Assembly Standing Orders, which requires the Attorney General to be represented during a hearing of a government bill. In short, there was no expert testimony in the broad context of having an informed view independent of the parliamentary committee.

SUMMARY OF THE DISCUSSIONS

To be sure when the meeting began there were a number of issues raised which were not commensurate with idea of public hearings. It should be noted that the Chair had taken time when opening the meeting to inform the gathering the meaning of public hearing and more specifically on proposals on the 14th amendment to the constitution. Still, there were few people who continued to air views that had nothing to do with the purpose of the meeting. For example, one speaker stood up and said to the effect "I am not going to give my views to this committee because there is no guarantee that you will implement the suggestions I will offer. This happened with [Judge] Kisanga Commission". There was another speaker whose was more interested getting an answer from the committee on why Zanzibar was allowed to have a national flag if it is part of the United Republic of Tanzania. He continued to complain that this could not happen during Nyerere's time. What this suggests is that there was lack of knowledge on the concept of public hearings among some section of the public.

However, it should quickly be added that once a little bit of civic education was provided, the meeting progressed well and the focus was centered on the proposals with enlightening suggestions. The National Electoral Commission reforms should not concentrate at the top only because most of electoral problems occur at the local level.

The increase in women representation is not helping the women in the rural areas where the majority reside. This is intended to increase employment for leaders wives and sisters. I am therefore opposed to the percentage increase. Amending the constitution should be the work of the citizens of this country and not Parliament. We should vote in a referendum whether we like the changes suggested by the government. This idea of establishing National Advisory Council comprising retired presidents is problematic. What will happen if a retired president is from the opposition party? The fact is that the president has too many advisers.

Just as citizens must understand the legislature in order to influence it, so must civil society groups. In countries with a limited history of legislative democracy, civil society organizations tend to lack knowledge of legislative processes even though they may be well organized around a particular issue and/or at implementing programs to address their particular concerns. And yet, in legislative systems, civil society organizations have a critical role to play whether in lobbying legislators for policy change or in representing the aspirations of their constituents at public hearings.

There is no doubt that civic education is a critical factor in a political system. The aim of civic education is to inform the public about the structure, roles and functions of government, and citizen's rights and responsibilities in a democratic nation. Broadly, civic education includes voter education, informing citizens about their broader democratic responsibilities, their right and responsibilities to participate in both local and national politics expressing their concerns through civic groups and to legislative representatives and voicing their views about decisions that affect their lives to local government officials.

There is every reason to believe that there is a complete lack of understanding of the role of the Member of Parliament. Constituents with some knowledge of or connections to the legislature most commonly assume that members of parliament can help them as individuals with direct assistance. Parliament should develop community education programmes, including schools and tertiary institutions, and should develop a range of publications to publicize its structures, functions and processes.

However, it was also noted that there is a mismatch between stakeholders and Members of Parliament in understanding the main objective of the public hearings on bills. For the members of parliament, the main purpose is to enhance peoples' participation in the law making process but not necessary to incorporate all of the stakeholders' recommendations into laws. For the stakeholders, public hearings on bills are not only tools for participation, but they expect that most of their recommendations if not all will be incorporated into the bill. They regard public hearings as being not an end by themselves but a means to an end. This variance of expectations between stakeholders and members of parliament sometimes has a propensity to result into conflicts and misunderstandings.

4.3 ARUSHA CENTRE

1. Introduction

As part of the project on the institutionalization of the concept of public hearings at the committee level, the consultancy team was assigned to observe a series of public hearings events that were held at various centers including Arusha, Zanzibar, Mwanza and Mbeya. In Arusha, these hearings were carried out by the Committee on the Constitution, Legal and Governance Affairs chaired by Hon. Athumani Janguo (MP, CCM). Others in the team included Hon. Lamwai (MP, CCM), Mr. Mloka (Committee Clerk) and a lawyer from the Attorney General Office. About 40 people showed up for the public hearing event at Sheikh Amri Abeid Memorial Stadium.

2. Organizational Issues

Availability of the Bill and other Documents

There were adequate copies of the bill and its supplements. Copies of the bill were distributed on the very day of the public hearing meeting, making it rather difficult for the participants to grasp its content.

The Media

The media was involved and parts of the proceedings were aired by television stations. However, there was hardly any attendance of the media staff on the second day of the public hearing event.

Participants and Audience

The number of people who attended the meeting was rather small bearing in mind that Arusha is a big city comprising of the educated, business people, farmers and academic institutions. About half of the participants were members of various CSOs situated in the region. A few were lawyers from the Legal and Human Rights Center in Arusha branch and the rest were teachers and business people. Very few introduced themselves as peasants. In terms of gender balance, among the 40 participants, only 8 were women.

Two methods of invitations were used, namely, open invitations through public announcements as well as special invitations to selected groups through formal letters. However, the invitations letters were sent to the intended stakeholders within a very short notice.

Appropriateness of the Venue

The meeting was held at Sheikh Amri Abeid Memorial Stadium located at the city center. In this case, the proximity of the venue to many streets of Arusha city made it easily accessible to many people. It was also spacious, clean and well-ventilated. Despite its proximity and physical space, the venue was highly inaccessible to the disabled due to sharp/steep stairs.

Proceedings of the Public Hearing Events

The Chair

The Chair demonstrated a high level of competency in setting the agenda and handling the audience. Participants were periodically requested to refocus their discussions in relation to the bill on the table. He also seemed conversant with the content of the bill itself. However, there were some limitations. Some of the ground rules were not clearly established e.g. time limit. Also, at times, the Chair was defending some of the provisions of the bill rather than listening to people's views and suggestions. There were also some elements of partisanship demonstrated in the elaboration of certain issues.

The Legal Expert

Hon. Lamwai (MP), a profession lawyer, played a role of a legal expert. While he did this job very well, partisanship analysis of main issues dominated his testimony.

The lawyer from the Attorney General office, though seated at the front table, did not have an opportunity to say anything. She was more of an observer than a legal expert. As a result, the participants lacked the legal analysis of alternative views.

The Committee Clerk

The Committee clerk was recording the proceedings, though his involvement with other logistics did somehow interfere with his work. There was no opportunity for the participants to hear the summary of their views as recorded by the Committee Clerk.

Special Groups

The disabled people requested for a special meeting with the Committee members so that they can present their views. The Chair accepted their request and scheduled to meet them after the completion of the public hearing meeting.

3. Conclusion

The public hearing event in Arusha was averagely successfully. Copies of the bill were adequately distributed. The Chair was able to establish the agenda and handle the audience. However, the preparation stage was done in a hurriedly and ad hoc manner. The media was not systematically involved throughout the event. Also, low level of attendance to this important meeting was another noticeable problem. Lastly, many of the participants asked questions rather than providing contributions and suggestions in relation to the bill.

TECHNICAL ASSISTANCE FOR THE STRENGTHENING OF TANZANIA'S
NATIONAL ASSEMBLY

**A STEP BY STEP
MANUAL ON HOW TO ORGANIZE AND
CONDUCT PUBLIC HEARINGS**

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Commissioned by SUNY/BC
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Introduction

The practice of conducting public hearings on bills is a recent phenomenon in Tanzania's politics. The first time a broad based public hearing was carried out was in 1999 when the bill requiring stern punishment for persons found guilty of sexual offences was being discussed by relevant committees of parliament. Since then, more bills and other policy matters have been discussed through a system that provided for an enlarged audiences. Several cases can be cited. They include the Land and Village Land bill (1999), Public Service Negotiations Machinery bill, Occupational Safety and Health bill (2003), Procurement bill, the Office of Kadhi matter, the 14th Constitutional Amendment bill to mention only a few.

The current practice of the public hearings however still faces some enormous challenges which hinder full realization of intended benefits. This manual is written, in part, in order to respond to the bottlenecks in the current operationalization of public hearings at committee and constituency levels as conducted by the Tanzania National Assembly. In another part, the manual is intended to guide the institutions and officials as well as the general public on improved ways of organising and executing public hearings in Tanzania. Besides the Parliament, the guide provided by this manual can be applied to other forums where the soliciting of the views of the general public for onward decisions are called for. In yet another part, this manual will contribute to the broader efforts at raising the public's awareness on their right to engage their leaders in dialogues regarding legislative, oversight and policy-making roles

The idea and practice of public hearings on bills and policy matters need to be understood in the context of the law making process in Tanzania. Before bills are enacted into laws, several steps have to be undertaken. First, bills must be published in a government gazette; Second, bills are read for the first time in parliament and introduced either by the MP (in case of private bills) or by the Attorney General or minister. Third, bills are reviewed by parliamentary committees which can solicit public input. Fourth, bills are read for the second time when a respective committee presents its findings on a bill to the

National Assembly. Fifth, the National Assembly constitutes itself as a committee to discuss and adopt or amend the bill. Sixth, bills are read for the third time, presented, debated and passed by the National Assembly. Seventh, bills are sent to the President for his signature, and lastly, the respective Minister announces the date for the Act to come into operation. In this process, public hearings on bills are held after the first reading after which relevant committees can gather people's views concerning the tabled bill.

Acknowledgement

We would like to acknowledge and recognise the contributions made by various agencies and individuals in the production of this manual. These include all respondents to the 2004 study on MP/Constituents relationships and those from the subsequent 2005 study on the institutionalization of the concept of public hearings in Tanzania.

Besides the respondents, we would like to recognise key officials and Members of Parliament who took very active and central support to the initial and subsequent program.

As for the initial program special mention recognition must go to the following:

- Honourable Juma Akukweti, Deputy Speaker, and Hon. Prof. S. Mbilinyi (Peramiho)
- Hon Venance Methusalah Mwamoto (Kilolo) and Hon. George Francis Mlawa (Kalenga),
- Hon. Lazaro Samuel Nyalandu (Singida North)
- Honorable Freeman Mbowe (Hai).

These six members of Parliament generated the results of the actual play out of the public hearing on bills at constituency level which aroused significant interest in the undertaking as to inspire some of the significant considerations in the exercise. We hope their inspirational contributions will ignite glowing interest in the tasks ahead.

As for the second program on the institutionalisation of the public hearing, we would like to recognise in a very significant way the following. Hon. Pius Msekwa (Speaker) Hon. Juma Akukweti (Deputy Speaker) and we would like to commend the Four Committee Chairpersons Hon. Athumani Janguo (MP- Kisarawe), Hon. Njelu Kisaka (MP- Lupa), Hon. William Shelukindo (MP-Bumbuli), Hon. Prof. Henry R. Mgombelo (MP- Tabora Urban), Hon. Wilfred M. Lwakatare, Leader of the Opposition (MP-Bukoba Urban)

Then we need to recognise the great contributions made by some parliamentary officers who include, the Clerk to the National assembly, Mr. Damian S. Foka, Mr. Mtei, Ms. Justina Shauri and Mr. Mloka. Their support for the program and insights into the current

working of public hearing at committee level enriched our understanding of the intricate issues surrounding the program ahead.

PART 1: BASIC PRINCIPLES

1. What is a Public Hearing?

The concept of a hearing is derived from the legal practice where parties to a case are provided with the opportunity to explain their position or opinion on a subject matter supported by evidence. Based on the strength of the evidence, a ruling is made. In the case of public hearings on bills, parties to the subject matter are the stakeholders to be directly affected by the respective bills in various ways. These are invited to a forum at which a bill or a policy issue is to be discussed. In order to assist the stakeholders to present informed positions about the bills, experts on the subject matter of the bills are usually invited to give testimonies on issues related to the bills and/or offer alternative scenarios on decisions that need to be considered.

There are two general forms of public hearings: Formal and informal public hearings. Formal hearings are often organized within the legislature in specified hearing rooms at which specialized experts, academics or government officials may be invited to make presentations on a well defined issue such as a bill. In most cases, such public hearings are organized by legislative staff.

On the other hand, informal hearings may be organized in a variety of places and ways. For example, town hall meetings may be organized in community centers to solicit the perspective of citizens on a particular issue. In the case of Tanzania, such meetings can be organized in village centers, hired venues, or even in more open spaces, etc. In such a forum, individuals will be asked to present their views to the public officials.

Box 1: Public Hearings vs. Public Rallies

There is a tendency to confuse public hearings with public rallies that are normally addressed by politicians. To some MPs, a public hearing is confused with an open meeting between groups or individuals with an MP or other official to address certain constituency issues.

2. Why is it Important?

Public hearings as a form of civic engagement aim at integrating public input into the legislative and policy-making process. Indeed, public hearings on bills are an important process in the workings of a democracy. In democratic societies, governments (including legislatures) routinely consult, interact, and exchange views and information with the

public so that citizens can express their preferences and provide their support for decisions that affect their lives and livelihoods. From this understanding, several important functions to a public hearing can be derived:

Box 2 *Functions of a Public Hearing*

- *Increases the possibility of legislators acting on behalf of constituents.*
- *Contributes to democracy by strengthening the people's connection to their government, and by providing "real life" assessments of how government programs are actually working on the ground.*
- *Constituents benefit by having their views and concerns heard in the legislative and policy-making process or by having an advocate in the legislature able to act on their behalf when government programs adversely affect them.*
- *Improve the legislative product derived from an array of diverse groups and interests.*

3. Who are Key Actors in a Public Hearing?

A public hearing involves several stakeholders particularly those to be directly affected by the proposed bill or policy. It includes, civil society organizations (CSOs), subject experts and the public in general. The MPs and the legislative staff in a committee are the conveners of a public hearing event at a committee level. Currently in Tanzania, there are about 15 standing parliamentary committees. They include, Finance and Economic Affairs, Public Accounts, Local Authority Accounts, Investments and Trade, Social Services, Defence and Security, Agriculture and Land Development, Natural Resources and Environmental, Foreign Affairs, Social Welfare & Community Development, Parliamentary Privileges, Ethics and Powers, Steering, Economic Infrastructure, Constitutional, Legal and Public Administration and Standing Orders.

In most cases, organised social and political groups are key participants in public hearings meetings. Box 3 below shows the role that CSOs can play in enhancing the benefits of public hearings.

Box 3: CSOs as Key Actors

CSOs can represent citizens' interests to the state and negotiate on behalf of citizens interests. CSOs can be important as linkage mechanisms, linking citizens and the state. They can provide an alternative view by presenting a multiplicity of diverse interests that are not necessarily represented in and through parliamentary democracy or political parties. CSOs can regulate and harmonize the processes of popular participation. They can publicize issues to the grassroots level

4. Special Features of Public Hearings on Bills

Four rules are regarded as being basic for the public hearing process; the greatest possible public input, broadest public notice, a clear proposal, and a simple procedure. In addition, As it will be elaborated further below, there are standard procedures in any public hearing. These include the following;

Box 4. Standard Procedures in Public Hearing

- *Defining the Agenda*
- *Inviting Expert Testimony*
- *Press Relations*
- *Organizational Techniques Guiding the proceedings*
- *Incorporating inputs from CSOs and the public*

PART II: BASIC STEPS

As introduced above, this is an how to manual on the steps on organising and executing a public hearing. In the pages below we are outlining the first set of those steps for the preparatory stages of the hearing process followed by another set of steps for the actual process of doing or executing the hearing process. While all these suggested ideas amount to conditions for the successful implementation of a public hearing, under section III we conclude by sketching out complimentary conditions of a more broad set of conditions for the successful implementation of a public hearing. They are broader because they require the involvement of organs and officials beyond those of the Committee Chairpersons, individual MPs and or the Committee secretariat.

Stage 1: Preparation for a Public Hearing

1. Understanding the Agenda:

An Agenda, especially as related to public hearings means "the matter of business to be discussed." This can be an issue for scrutiny in the oversight role of parliament or a policy question to be decided on. In the case of public hearings on bills, the matter to be discussed are the relevant bills that are eventually to be tabled before parliament for enactment into law.

The Chairperson of a public hearing is the steering of the hearing process. Like in any steering or lead role, the audience and participants expect that the Chairman has grasp of at least some basic issues in the agenda on the grounds of which s/he can initiate the discussion, guide the it and lead the audience towards the objectives of the hearing process.

On similar grounds, the parliamentary staff or simply the secretariat is expected to be versed with those basics of the agenda to enable them properly record the deliberations as well as assist the Chair in the steering of the hearing process. A secretariat that is completely out of touch with the basics of the agenda, may not be able to properly follow the deliberations and may subsequently improperly record the deliberations.

This is not to suggest that the Chairpersons and the Parliamentary Secretariat/Recorder are turned into all knowing experts on each topic they will have to officiate on at every hearing event. Rather, they are expected to be versed with key provisions of the bill, the elements of the policy and the different area of an oversight task they will have to engage in.

Box 5. Understanding the Agenda and Preparation for a Hearing Process.

Understanding the Agenda in the Preparation of the Hearing the roles of the Chair and Session Recorder /Parliamentary Secretariat include:

- *Possession of document(s) of the agenda and accompanying and related explanatory notes from the institution responsible for the bill, policy etc.*
- *Prior familiarisation with the contents of the documents of the agenda*
- *Prior consultation with source institution of the agenda*
- *Prior Consultation with informed individuals (subject experts when necessary) on the substance of the agenda*
- *Briefing sessions with committee members and the secretariat on the subject of the agenda.*

2. Assessing strengths and Limitations

A much wider question in the Preparation for a public hearing is making an assessment of Strengths and Limitations for the holding of a public Hearing. It is wide in scope because it entails virtually all issues related to the running of a successful public hearing. In this manual, we shall confine ourselves to the critical areas for the assessment. The following checklist of issues and accompanying probing questions can lead to appropriate response to what needs considering in the assessment.

Box 6 Checklist of Issues and Probing questions	
Checklist of Issues	Probing questions
(a) Timing of the Hearing Process	<ul style="list-style-type: none"> • <i>When to conclude the Preparations</i> • <i>Due date for the Hearing</i> • <i>Conclusion of the Hearing Process</i> • <i>Last Date for Receipt of other forms of opinion delivery (by letters, e-mail, etc)</i> • <i>Due date for Submission of Public Opinions by the Secretariat to the higher authority</i> • <i>Schedules of the Day(s)</i> • <i>Next Committee Level Meeting</i>
(b) Advance and timely delivery of the Agenda Documents	<ul style="list-style-type: none"> • <i>Last date for the Agenda to reach the public</i> • <i>Supply kit for contingency of agenda documents</i>
(c) Availability of the Audience/Participants	<ul style="list-style-type: none"> • <i>Identification of the Audience/Participants for the Hearing</i> • <i>Information Channels to reach the audience</i> • <i>First Notification of the Audience on the Hearing</i> • <i>Second Notification of the Audience and an assessment of their response</i> • <i>Third Notification to the Audience and Reconfirmation of the Hearing</i>
(d) Availability of Experts	<ul style="list-style-type: none"> • <i>Which subject area(s) may need experts</i> • <i>Which Expert(s)</i> • <i>Confirmation of Participation of the Experts</i> • <i>Availability of Expert Materials</i>
(e) Media Presence and Other Information outlet(s)	<ul style="list-style-type: none"> • <i>Which Media Organs</i> • <i>Which other information Outlets (Posters, Opinion Leaders, Display Boards, etc.)</i> • <i>Notification to the Media and other</i>

	<p><i>information Outlets</i></p> <ul style="list-style-type: none"> • <i>Confirmation of Participation of Media and other information outlets.</i>
<i>(f) Hearing Premises</i>	<ul style="list-style-type: none"> • <i>Identification of the Hearing Premise(s)</i> • <i>Access (physical and socio-cultural) to the premises</i> • <i>Size (Sitting capacity and comfortability)</i> • <i>Shade and Cover</i> • <i>Acoustics and/or obtrusive noise</i>
<i>(g) Funding and Miscellaneous Costs</i>	<ul style="list-style-type: none"> • <i>Cost Items</i> • <i>Price for each Item</i> • <i>Total Cost</i> • <i>Contingency</i> • <i>Funds from Bunge, Funds from the Government, Contributions from Stakeholders</i>

3. Inviting expert testimony

Bills, Policy Issues or Matters for scrutiny that are put before the public for a hearing process fall under specific subject areas. These subject areas can fall under the realm of Politics, engineering, Chemistry, Food Science, etc. Like in any subject area, there will be, within the community, government administrative or sectoral units (District, Council, Region, or ministry), individuals or groups of individuals who are recognised as authorities/experts of different levels on the subject areas under which the agenda for the public hearing fall.

The general public on the other hand, may have knowledge of and or experience on the subject before them but their competence on it may not be that deep as to enable them make well grounded contribution during the hearing.

In a public hearing, the subject experts provide deeper and more intricate analysis of the issue under discussion, offer alternative scenarios and the implications of each of the scenarios. The subject expert does not and should not make any decisions on the agenda which the public should adopt. But the citizenry can ask the expert which of the scenarios he has offered is the most plausible to him/her. Still the decision will remain with the individual or group of individuals who are at the hearing forum.

A Legal expert is not necessarily a subject expert. He may become one only when legal implications may be needed by the public to assist them in determining their position on the subject under discussion.

Box 7. Subject Expert(s) and Preparation for a Hearing Process.

In the preparation for the Hearing, the role of the Chair and Session Recorder is:

- *Identify the subject Area within which the topics for the hearing fall*
- *Invite Subject Experts to submit their testimonies – meaning and interpretation of the issue(s) to be discussed to enable the public make any recommendations from a position of information.*
- *Organise the expert testimony such that it is given in advance or before and/or during the hearing process*
- *The testimony may be given orally and directly. It can also be written or pre-recorded/video taped.*
- *One expert testimony text can be circulated in different hearing centres to minimise costs and cut down the experts' engagement time*

4. Involving the Media and other Information Outlets.

Under 2 (e) some indication has implicitly been made that media involvement is critical for a successful execution of a public hearing. In this manual we take the concept of the media to mean formal and informal information outlets that are explicitly designed to disseminate news to the larger public. In advanced communities and centres, these may include the published and electronic media organs; in less and least advanced areas, such as village and distant district settings where in the future one can expect that there will be both committee and constituency level hearings, these information outlets may include posters in village centres which may enlist the role and support of opinion makers and tools such as "call drums" etc.

Increasingly however, the use of modern organs such as local television stations even in distant district and trade centres is becoming popular. A select set of news papers run by local churches and the mosques as well as credit and lending agencies, community based organs, etc. are available and are in use. Regular village to village or town to village buses, as are regular supervisory visits by district officials have long been in use and are often used to send mail to individuals and can presently be exploited for eventful occasions such as constituency level hearings as well as committee level hearings.

Media organs are critical before, during and in the post hearing events. In the pre-hearing occasions, they can be used to send out information about an oncoming hearing event. In the on-going hearing process, the media can be used to report and promote the event. In the post hearing stage, the media is important to report what the highlights of the hearings are and of course, to inform the public issues related to the later stages of the post hearing outcomes.

Box 8 Media Involvement and Preparation for a Hearing Process.

In the preparation for the Hearing, the role of the Chair and Session Recorder will include the following tasks.

- *Identify opportunely the potent and relevant media organs that can be used as agencies for the invitation of the public to the hearing forum.*
- *Invite the media organs as defined to disseminate information on the public hearing event to strategic population concentration centres.*
- *Invite the media organs as defined to promote and publicise an ongoing public hearing and the post public hearing results/outcomes.*

5. Involving the Public and Civil society Organizations

A Public hearing is designed to solicit the public's views on specific agendas. The public participates as individuals where they present their individual view points.

But the public often live in organisations. In present times, civil society organisations range from private to more inclusive and more open groupings. These include, secular and religious organisations, political and professional, women and youth groups, etc. Some may be formalised while others may be fairly loose, occasional and without permanent leadership. What is important to all these groupings and individuals is that they each have some opinion or view they want to express in relation to a subject of their concern during a hearing event.

Some of the individuals and groups organisations may be strategically poised on a public hearing subject and may thus come up with well thought out contribution to the hearing while others may not. In any case, each of these organisations have the right to find space when they want in the hearing process.

Box 9. Involving the Public and Civil society Organizations and Preparation for a Hearing Process.

In the preparation for the Hearing, the role of the Chair and Session Recorder in the involvement of the Public and Civil Society Organisations will include the following tasks.

- ***Identify opportune organised civil society organisations and strategic individuals for the public hearing event.***
- ***Invite the civil society organisations and the general public for the public hearing event.***
- ***Ensure that these invitees are listed for any future event***
- ***Ensure that a way is worked out with the public and their organisations on how to provide feedback on their contributions.***

Stage 2. Doing a Public Hearing

1. Defining the Agenda

Public hearings are special meetings conducted by Parliamentary Committees (or individual parliamentarians in the case of constituency level hearings)to gather information from the public and assess public opinion as part of law-making, policy articulation or oversight roles of the parliamentarians. Thus, at public hearing citizens are encouraged to speak and comment on the specific subjects addressed at the hearing.

The aim of defining the agenda is not to protect the bill, but to expand knowledge on bill by listening to citizens, stakeholders and experts. Thus the first task of defining the agenda involves explanation of the key elements of the agenda . If there many items in the agenda, there is need to prepare a list of items for discussion and plan a specific amount of time for each item.

Box 10:Setting the agenda

Define the agenda

*Distribute bill/bills in
advance*

Contact media on schedule

To be emphasized here is that it is vital to distribute agenda items to the public and different stakeholders in advance of the meeting so they can become familiar with the matters they will be speaking on. This helps the public and different stakeholders to think about issues in advance. The media can be very instrumental on this aspect by requiring them to promote the items of the agenda in advance of the hearing.

2. Rules of Proceedings

At the outset it is important to understand that in normal circumstances many people are involved in a public hearing. For that reason it is necessary to set ground rules well in advance to steer clear of uncertainty during the hearing process. In general, participation by the public is governed by rules of procedure established by the committee prior to holding the public hearing. It is advisable that the concerned committee contact key stakeholders and invite them to appear at a public hearing. At other times, interested individuals and representatives may contact the Committee to ask for a chance to appear at a public hearing.

Box 11: Rules of Proceedings

- *Set ground rules well in advance*
- *Select accessible venue and time*
- *Give notice of meeting well in advance*
- *Provide contact persons*

As a modus operandi, a public hearing requires that the time and place of all meetings should be given prior to holding such a meeting. The content of such notice must include reference to the time and location of the meeting. Additionally, it is recommended that the notice include the name of the committee that will be holding a public hearing and a name of a contact person if additional information is needed. A fundamental factor that needs attention before the meeting is the length of time the notice must precede the hearing. If inadequate notice is given, the committee risks the chance of getting few participants in the hearing and thus missing inputs and undermining the democratic process.

The other important factor is to adopt procedures for allowing citizens and representatives of civil service organizations and other stakeholders to present their views. By and large, there are many possible procedures that can be adopted. For example, one type of procedure could begin by experts testifying first, then persons

representing civil organizations, followed by individuals. Another option could follow a first come, first served order, using the sign-in sheet if there was one from the outset. In the proper management of time, advisably, there is need to specify the time limit one can present their view on a subject.

3. Organizing for the Meeting

To be sure, time spent organizing in advance of public hearing meetings can improve the quality of the meeting and facilitate the proper delivery of information to the public. The following are some important factors to consider when organizing a public hearing meeting. First, what kind of meeting space is required? Who will arrange for the facility in advance? Is the venue accessible to all people who are interested in attending? In short it is necessary that all reasonable efforts be made to ensure that the meeting space is accessible to all people who are interested in attending.

Box 12: Organizing the meeting

- *Prepare background information*
- *Decide on meeting space required*
- *Who will arrange for the facility?*
- *Is the venue accessible to all?*
- *Invite experts well in advance*
- *Involve the media for public awareness*

Second, what outside experts are to be invited to help on the scheduled items in the agenda? A resolve should be made by the committee for inviting experts to attend and give testimony at the hearing. As such proper planning to secure their services should be made well in advance. Thirdly, the committee should be conversant with the information

needed before the meeting. In this case, the Parliamentary Secretariat should provide any necessary background information that may assist the committee in its task.

4. Opening the Hearing

After the public hearing is called to order, the public should be welcomed to the hearing and the members of the Committee holding the hearing introduced. Chair or a Member on behalf of the Committee setting forth the issue at hand should make an opening presentation informing the gathering the basic elements of the items in the agenda. This can be done by either reading the short text aloud and in the process summarizing the basic facts of the agenda for the assistance of the public. In addition to reading the short text of the draft agenda and the text of the proposed legislation or policy, the rules of procedure to be followed by the Committee at the hearing should plainly be stated for the benefit of the public. Such rules should include indication to the order in which individuals or stakeholders will be called and the amount of time that each speaker will be allocated to present views.

5. Giving Views at a Public Hearing

The first thing to do is introduce oneself, where they are from, what they do for a living, and what item on the agenda they want to speak on. Then present a brief summary of the issue(s) they want to speak on. Present enough information to get your point across and in the process specify whether they support the item in the agenda, oppose it or are offering suggestions to improve it, and then explain their reasoning. One should feel free to explain that they have proposed additional comments their written testimony - if they have indeed done so. If someone asks for additional information that one may not have - one should not get alarmed. Basically one should reply that they will get the information to the committee. If other speakers have already made ones point, let the public know that you agree with the previous remarks of others speakers, but one should try to stay away from replicating the testimony of previous speakers.

<p><i>Box 4: Giving views at a hearing</i></p> <p><i>Introduce yourself or organization</i></p> <p><i>Keep the presentation focused on the agenda</i></p> <p><i>Use your time prudently</i></p>

The committee is interested in knowing all the effects a proposed piece of legislation or policy may have, so it is vital that one is clear and succinct in the presentation. In fact, most people provide written testimony. Written testimony also guarantees that ones will be recorded and other interested parties not present would have the opportunity to read those views.

To summarize, one should make certain that the subject matter, observations or opinions that one wishes to bring to the attention of the Committee directly address the issue(s) of the hearing. The reason for this is to focus on the subject so that greatest information can be gathered on the subject in order to help the Committee reach a sound position. In general there are three ways to present ones view at a hearing. The first is to present arguments orally. Secondly, many people find it useful to prepare written notes to ensure that their arguments and information are clear and precise. The third option is that one can provide the Committee with written material to support the comments that one intends to make. If time does not permit, one can send written submission to the Committee.

An important fact to bear in mind is that making a presentation to the Committee enables one to call attention to key concerns or important themes. It is therefore advisable that one uses their time effectively, be precise and be relevant to the issue(s) at hand. After ones presentation, the Committee members may ask questions or discuss matters raised in ones written submission or in ones presentation. If one is unable to answer some questions, one should not feel irritated. S/he just should point out that s/he will provide the essential information as soon as it is feasible.

In addition to accepting oral testimony of individuals, the Committee may also want to accept written comments. If the Committee foresees a large number of individuals wishing to speak, it may want to limit the time for each speaker's presentation. For example, limiting presentations to 3-5 minutes encourages presenters to be focused and direct, and allows more people to testify. Obviously, the number of people present and their proclivity to speak will largely determine the time factor. When the list of speakers is exhausted, the Chair can ask if anyone remaining wishes to be heard, in that case as time allows, these persons may be given an opportunity to speak. When a presentation is

being made, it is the Chair's duty to stop him/her from drifting too far from the issues. This will help keep the presentation focused on the issue before the Committee and prevent the presenter from reacting to observations from the gathering.

6. Etiquette at a Public Hearing

The public hearing process is an important part of the lawmaking, oversight and policy making process. It is therefore important that well-mannered attention to other speakers be given regardless of their views. Indeed, one should not indicate displeasure with anyone's remarks. Let each speaker be given respect when one is offering views. Generally, the speakers are divided into three categories: those favoring the item in the agenda, those against it, and those neither for nor against it.

Without doubt, public hearing is essential to the maintenance of a democratic society that public business is performed in an open and public manner and that the citizens be fully aware of and attend and listen to the deliberations and decisions that go into the making of laws, policy and overseeing of implementation of programs.

7. Concluding a Public Hearing

A public hearing is usually over when all who wish to speak have been heard and speakers are adding nothing new to what has already been spoken. At this time, the hearing should be closed by thanking the public for attending and explaining how their views will be considered in the Committee's deliberations and sooner or later in the National Assembly.

PART III: ENSURING SUCCESS OF A PUBLIC HEARING

Institutional and Legal Framework

A public hearing is an institution of great significance in the democratization process. For the success of such an institution there is need for a well established institutional and legal foundation to support, back up and lay down the broad ground rules for its operation. Through various studies (commissioned by SUNY/BC), it has been found out that among the major limitations for the smooth and full fledged working of the public hearings system relate to the weak institutional and legal basis that have to support its operation. In recognition of this, below we summarize some key aspects of the legal and institutional backing required for the smooth operation of public hearings.

Box 13. Institutional and Legal Framework

- *The legislature needs to develop a coherent public hearings programme indicating objectives, key actors, responsibilities and timelines. These tasks should be assigned to a special unit charged with the overall responsibility of facilitating the activities of public hearings.*
- *For timely and early release of bills to parliament and to relevant stakeholders, there is need for efficient communication between the Leaders of Government Business in the House (the Prime Minister's Office), the Attorney General Office, the Government Printer, and the National Assembly.*
- *Parliamentary Standing Rules need to provide for explicit and clear-cut provisions that make it mandatory for committees to hold public hearings.*
- *The translation of bills from English to Swahili should be done in order to invite broadest contribution from the general public.*
- *Both the government and the legislature should establish and maintain strong political will towards the system of public hearings.*

Box 14. Guidelines for Handling Questions

- *Always repeat each question so the entire audience knows what you have been asked.*
- *Before you answer, take a moment to reflect on the question. If you are unsure, restate the question or ask for a clarification.*
- *Wait for the questioner to finish asking the question before you begin your answer*
- *If a question is asked during the talk, and it will clarify an ambiguity, answer it immediately.*
- *Postpone questions aimed at resolving specific problems (or arcane knowledge) until the end of the talk, or private discussion. This is particularly important if the answer will distract either you or the audience away from the flow of your presentation.*
- *Avoid prolonged discussions with one person, extended answers, and especially arguments.*
- *If you can't answer a question, just say so. Don't apologize. You then may:*
 - *Offer to research an answer, then get back to the questioner later.*
 - *Suggest resources which would help the questioner to address the question themselves.*
 - *Ask for suggestions from the audience.*

Use of communicating tools

Use of posters, simulations, pictures, drawings and other tools may be of great help in sending the message across. These may be used in showing the effect of certain laws and rules under discussion.

Adapting to local circumstances

The use of existing structures, processes and opportunities at a particular location may be important for the success of the public hearing undertaking. This may involve several things including, use of opinion leaders, recognizing local values and traditions e.g. on seating arrangements, employing informal ways of handling the audience etc.

TECHNICAL ASSISTANCE FOR THE STRENGTHENING OF TANZANIA'S
NATIONAL ASSEMBLY

ORGANISING AND EXECUTING A PUBLIC
HEARING

A TRAINING TOOL FOR MEMBERS OF
PARLIAMENT AND PARLIAMENTARY
STAFF OF TANZANIA'S NATIONAL
ASSEMBLY

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I. Introduction: Public Hearings and Parliament

Concept of Public Hearing

A public hearing is a forum where stakeholders to an issue for discussion (a bill, policy or issues in an oversight role of parliamentarian) are provided with the opportunity to explain their position or opinion on the subject matter. The forum has to be at a duly constituted occasion. This can be at a Parliamentary Sub/Committee or/and a duly constituted meeting within a Constituency.

Purpose and Functions and Importance

Public hearings have various mutually reinforcing purposes and functions.

- ***Purpose***

At a broad level, public hearings are mechanisms for the enhancement of relations and interaction between constituents and Members of Parliament on a number of areas: legislative, oversight and policy roles.

To the stakeholders the purpose of a public hearing is to express their views on the

subject matter of bills, scrutiny or policy thereby participating in the legislative, oversight or policy making process.

To Legislators the purpose of a public hearing is to convert the views of the stakeholders into resources for their legislative, policy making and oversight roles.

Box 1. Functions and Importance

- *Strengthens the relationship between legislators and constituents*
- *Increases the possibility of legislators acting on behalf of their constituents.*
- *Contributes to democracy by strengthening the people's connection to their government, and by providing "real life" assessments of how government programs are actually working on the ground.*
- *Legislators with strong ties to constituents enhance their chances for their reelection and advancement in their political careers.*
- *Constituents benefit by having their views and concerns heard in the policy-making process or by having an advocate in the legislature able to act on their behalf*
- *An expression of the democratic ideal whereby, governments (including legislatures) routinely consult, interact, and exchange views and information with the public, so that citizens can express their preferences and provide their support for decisions that affect their lives and livelihoods.*
- *Acts enacted after a consultation process tend to have a better chance of successful implementation*

There are two forms of Public hearings: Formal and Informal public hearings.

Box 2.**Formal Hearings**

- *Organized within the legislature (for example in hearing rooms)*
- *Brings in specialized experts, academics or government officials to make presentations on a well defined issue.*
- *Organized by legislative Staff*

Informal Public Hearings.

- *Organized in a variety of ways and places: They can be town hall/village assembly meetings organized in community centers, or at any other acceptable forum.*
- *They solicit the perspectives of citizens on a particular issue.*
- *Individuals will be asked to present their views to the public officials usually on a first come, first serve basis.*

Conditions for Effective Citizen Participation in a Public Hearing.

There are a number of prerequisites for effective citizen participation in a public hearing process. When instituting public hearings, citizen groups need to be facilitated with training programs and assistance to help them to testify at the hearings. Such programs should train citizens in the issues and legislation being considered by the legislature, and how to draft and present public hearing testimony. Such training assistance should include publishing a brochure for citizens explaining, in laymen's terms, the proposed bills or envisaged policy changes.

In addition to the above, there must be extensive citizen awareness programs on the significance of their involvement in the public hearing sessions.

I. ORGANISING A PUBLIC HEARING

A starting point in the proper undertaking of a public hearing is the preparation stage. It has been argued by some practitioners that preparation of the public hearing accounts for at least 75% towards the successful execution of the entire public hearing. This is the case because the preparation stage is the foundation of the hearing process upon which every other stage is built. Hardly anything can take place in the absence of proper preparation for the hearing process.

There are several steps which have to be executed in order for a successful hearing to take place. We shall summarise issues in these steps, one after the other. Some of them will appear to be too obvious to present them here. It nevertheless is important that we serialize all of these steps.

1.1.Preliminary Undertakings :

Advance Possession of the Agenda Documents

Advance possession of the agenda documents means to have in ones hands the bill to be enacted into law, a policy to be decided on or the problem that has to be presented for scrutiny. The lack of agenda documents for a public hearing has been a reverberating problem expressed by the practitioners as well as it has been the finding in the situation analysis to which this training tool is, in one part, responding to.

The Committee Chair, and committee clerk should be the first individuals to have advance possession of the agenda documents. Subsequently, all committee members should have their own copies before the committee commits itself to any schedule of a public hearing.

For effective execution of the preparation stage the following roles assignments are recommended:-

Role of the Committee Chair

The committee chair must *personally* make sure that he is in possession of the agenda document before committing the committee to any hearing schedule.

The Committee Chair should subsequently have personal briefing and be in satisfaction with regard to the preparation schedule of the hearing process paying attention to especially, though not exclusively , to the following:

- Availability of sufficient copies of the agenda documents to all the envisaged and especially key stakeholders that are expected to take part in the hearing process;
- Distribution channels of the agenda documents to all and especially the key stakeholders;
- The existence of a credible and operationally reliable assignment of responsibility for the execution of tasks in the preparation schedule.

Delegation of responsibility in such undertakings is usually inescapable. The Chairman cannot make personal supervision of every step that is to be carried out in the preparation of the public hearing. It still remains however that at this stage, where the institution of public hearing is yet take root within the public and officials of government. The Chair must assure that he has personal interest in the preparation of the execution of this very important stage in the public hearing process. The involvement of the chair will be seen when the institution is well grounded and has become a habitual activity in the law making, oversight and decision making process of the committee and the entire parliament.

Lack of such attention can result in subsequent poor execution of the public hearing. The consequence of a poor planning of a public hearing will first and immediately be felt by the chair who will have to bear the blunt edge of an audience that is anxious to present views but are unable to do so because, may be, the agenda document are not available or have just landed with him from the same plane, bus or boat. What is even worse is that such an embarrassment can lead to lack of credibility and trust before the public in the efficacy of an institution that is just at the start of its institutionalisation.

- *Role of the Committee Secretary*

Besides the chair of the committee, the committee clerk is perhaps the practical and operator of the preparation schedule. His task is to assure that s/he does not have to respond to questions of an inquiring and diligent chair who wants to know if the preparations for the hearing are going on well. There should be a sequence a graduated steps where the secretary always meets the Chair for a briefing and delivery exercise and not the other way round. By this is meant that the secretary must always be ahead of the Chairman in the preparation stages.

The Chair should not have to stand up and proceed to the clerk/ secretary to for example inquire whether or not agenda documents are available, whether or not the agenda document's will have reached or have already reached the intended stakeholders. The Committee clerk/secretary will always have to satisfy him/herself that they have (not

will have) sufficient copies for distribution to all envisaged publics. Failure to have such well programmed division of responsibility and articulated schedule of things will lead to just as an embarrassing situation as it has been described above.

1.2. Understanding the Agenda: (Refer to Box 5 of the "How to Manual")

Understanding the agenda as a stage in the preparation of the hearing calls for the direct and personal roles of the Chair, the session recorder /Parliamentary Secretariat and preferably all the committee members.

Prior to any further action towards the planning and execution of the public hearing, the Chair, the clerk and the rest of the committee members should have adequate in-house briefing and explanation on the contents of the agenda. A more committed chair and secretary as well as the rest of the committee members will consult library materials or seek the assistance of Parliamentary research staff on the subjects. In some cases, the institution responsible for the subjects of the agenda can be very hand in such briefings

1.3. Drawing and Approval of an Hearing Preparation Schedule

Just as there will be a hearing schedule, there will have to be a " a Hearing Preparation " schedule. By a hearing preparation schedule is meant the "*identification and ordering of all the considerations that will go into the planning or preparation schedule*". The basic question which is in response to the hearing preparation schedule is: "are these all the necessary aspects that need to be considered in the preparation for the hearing"? A hearing preparation schedule will include the following tasks as listed in box 2 below (Refer to the How to manual, box 6)

Box 2. Checklist of Issues in the Preparation of a Hearing Schedule		
Checklist of Issues	Probing questions	Time Due (Indicate)
(a) Timing of the Hearing Process	<ul style="list-style-type: none"> • <i>When to conclude the Preparations</i> • <i>Due date for the Hearing</i> • <i>Conclusion of the Hearing Process</i> • <i>Last Date for Receipt of other forms of opinion delivery (by letters, e-mail, etc)</i> • <i>Due date for Submission of Public Opinions by the Secretariat to the higher authority</i> • <i>Schedules of the Day(s)</i> • <i>Next Committee Level Meeting</i> 	
(b) Advance and timely delivery of the Agenda Documents	<ul style="list-style-type: none"> • <i>Last date for the Agenda to reach the public</i> • <i>Supply kit for contingency of agenda documents</i> 	
(c) Availability of the Audience/Participants	<ul style="list-style-type: none"> • <i>Identification of the Audience/Participants for the Hearing</i> • <i>Information Channels to reach the audience</i> • <i>First Notification of the Audience on the Hearing</i> • <i>Second Notification of the Audience and an assessment of their response</i> • <i>Third Notification to the Audience and Reconfirmation of the Hearing</i> 	
(d) Availability of Experts	<ul style="list-style-type: none"> • <i>Which subject area(s) may need experts</i> • <i>Which Expert(s)</i> • <i>Confirmation of Participation of</i> 	

	<p><i>the Experts</i></p> <ul style="list-style-type: none"> • <i>Availability of Expert Materials</i> 	
<p>(e) Media Presence and Other Information outlet(s)</p>	<ul style="list-style-type: none"> • <i>Which Media Organs</i> • <i>Which other information Outlets (Posters, Opinion Leaders, Display Boards, etc.)</i> • <i>Notification to the Media and other information Outlets</i> • <i>Confirmation of Participation of Media and other information outlets.</i> 	
<p>(f) Hearing Premises</p>	<ul style="list-style-type: none"> • <i>Identification of the Hearing Premise(s)</i> • <i>Access (physical and socio-cultural) to the premises</i> • <i>Size (Sitting capacity and comfortability)</i> • <i>Shade and Cover</i> • <i>Acoustics and/or obtrusive noise</i> 	
<p>(g) Funding and Miscellaneous Costs</p>	<ul style="list-style-type: none"> • <i>Cost Items</i> • <i>Price for each Item</i> • <i>Total Cost</i> • <i>Contingency</i> • <i>Funds from Bunge, Funds from the Government, Contributions from Stakeholders</i> 	

Following the preparation of the schedule, the committee must commit itself to the schedule by approving its implementation.

• **Role of the Chair**

Role of the Chair will be to oversee the drawing of the preparation schedule, preside over the approval seating and all subsequent reporting back meetings.

• **Role of the Committee clerk.**

The role of the committee clerk will be to prepare a proposal of the preparation schedule.

After its approval, the committee clerk will assure its execution. In the course of the execution, the committee clerk will have the responsibility of reporting back to the chair on compliance matters with the schedule

1. 4. Pre-Hearing Site Inspection

Even if one is 'assured' of the existence of all the items in the checklist (box 3) above, one has to satisfy himself that in reality all the items in the checklist are on the ground. This requires that there must be an on-the- spot ascertaining of the real situation at the hearing site before the day the hearing schedule is to start. Sufficient time has to be set aside so as to allow the organiser of the hearing and the committee to respond adequately to any problem that may arise out of the on-the-spot inspection.

1. 5. Drawing and Approval of the Hearing Schedule

Alongside the preparation tasks, a tentative hearing schedule must be drawn spelling out the activities to be undertaken, the person responsible for the activity, time allocation, etc. The tentative hearing schedule should be communicated to key personalities and institutions in sufficient time to allow their acceptance or otherwise.

1. 6. Filing of a Report

The conclusion of the hearing must end up with two reports. First report will be on highlights of the hearing process on issues related to the organisation of the hearing and execution of the hearing process. This report will be about the administrative issues of the hearing process evaluating the administrative features of the hearing: strong aspects, problems, initiatives and making an indication on how a future event could be organised.

The second report will be on the subject matter of the hearing . It will consist of a summarisation of the issues raised, opinions made, etc. by the stakeholders.

PLATE NO. 1: ESSENTIALS OF ORGANIZING PUBLIC HEARINGS

Preliminary Considerance

Advance Possession of the Agenda Documents

Role of the Committee Chair

Role of the Committee Secretary

Understanding the Agenda

Role of the Committee Chair

Role of the Committee Secretary

Drawing and Approval of an Hearing Preparation Schedule

Pre-Hearing Sign-In Session

Drawing and Approval of the Hearing Schedule

Drafting of a Report

Organizing a Report

Presenting

Implementing

II. DOING A PUBLIC HEARING

Doing the hearing is about the execution of proceedings at the hearing event. One is assuming that the committee is at the hearing hall/site ready to receive the public's views on the items of the agenda. In this case there are several broad steps with sub-steps within them which have to be followed. Below we explain one after another.

2.1 Opening of the Hearing

After the public hearing is called to order, the public should be welcomed to the hearing and the members of the committee holding the hearing should be introduced. Also to be introduced is the host in attendance and any other group or individuals accompanying the committee or simply in attendance, eg. legal and subject experts, media personnel etc. The chair or a member on behalf of the committee setting forth the issue at hand should make an opening presentation informing the gathering the basic elements of the items in the agenda.

2.2 Explanation of Procedures to be Adopted at the Hearing

The other important step is to adopt procedures for allowing citizens and representatives of civil society organisations and other stakeholders to present their views. By and large, there are many possible procedures that can be adopted. For example, one type of procedure could begin by experts testifying first, then persons representing civil society organisations, followed by individuals.

Another option could follow a first come, first served order, using the sign-in sheet if there was one from the outset. Advisably it is important that such a sign up sheet should be made available. It is important in the filing of the hearing report at the end of the hearing session.

In the proper management of time, advisably, there is need to specify the time limit one can present their view on a subject.

2.3 Defining the Agenda

Another important step is to define the agenda of the hearing session. An agenda is the business to be discussed at the hearing. For the formal purpose of a public hearing, defining the agenda is a two stage step: Submission of the bill and expert testimony.

2.3.1 Submission of the items in the agenda.

Submission of the items in the agenda involves explanation of the key elements of the agenda. If there are many items in the agenda, there is need to prepare a list of items for discussion and plan a specific amount of time for each item. In a formal submission one must follow Principles of Effective Public presentations¹. These principles are: Planning, Preparation, Practice, Presentation and Handling of Questions.

¹ *Adopted and modified from Sheri Seibold, Extension Educator, Youth Development, University of Illinois Extension, Matteson Center : Public Presentation.*

Box NO.4 Principles of Effective Public Presentation**(i) Plan**

- *Choice of a topic or subject to speak on, the Bill.*
- *Determining the time frame within which the presentation will be made.*
- *Focusing or confining oneself to the gist of the topic.*
- *Structuring, i.e. introduction, body and summary.*

(ii) Prepare

- *No Memorisation of Presentation*
- *Use of small note cards.*

(iii) Practice

- *Use a timer to keep track of how long and how fast.*
- *Practice in front of a mirror first and then practice before family or friends. Make sure you have enough material to fill up your time allotment.*

(iv) Present

- *Speak clearly with a loud voice.*
- *Pause for a few minutes for effect.*
- *Speak with excitement and enthusiasm.*
- *Keep good eye contact with the audience.*
- *Smile and have good posture. Show you are glad to be present.*

(v) Handling Questions

- *The question period is part of the presentation.*
- *Handling of questions demonstrates ones ability to interact with the audience*

2.3.2 Expert Testimony

Defining the agenda also entails subject matter expert analysis of items in the agenda. This is intended to unravel the insights and meanings of issues related to the subject/discipline underlined in items in the agenda.

2.4. Giving Views at a Public Hearing:

The committee is interested in knowing all the effects a proposed piece of legislation or policy may have, so it is vital that one is clear and succinct in the presentation.

(a) Oral Presentation

A critical item involves the giving of views by the public. Under this step,

- the first thing to do is for one to introduce oneself, where they are from, what they do for a living, and what item on the agenda they want to speak on.
- The presenter should then make a brief summary of the issue(s) they want to speak on. One should present enough information to get ones point across and in the process specify whether they support the item in the agenda, oppose it or are offering suggestions to improve it, and then explain their reasoning.
- One should feel free to explain that they have proposed additional comments, if any, in written testimony.
- If someone asks for additional information that one may not have -- one should not get alarmed. Basically one should reply that they will get the information to the committee.
- If other speakers have already made ones point, let the public know that you agree with the previous remarks of others speakers, but one should try to stay away from replicating the testimony of previous speakers.

(b) Written Testimony

Some people may prefer written testimony. Written testimony guarantees that ones will be recorded and other interested parties not present would have the opportunity to read those views. Written testimonies are also important under conditions of limited time. If time does not permit, one can send written submission to the Committee.

2.5 Invitation of Members of the Delegation

As alluded to above, the committee may be accompanied by a delegation. The delegation is not part of and should not submit views at the hearing because it is not a forum for them.

The delegation may however add effect to the hearing. Its presence can add substance to the augur of importance of the hearing. In this case, towards the hearing's conclusion, the members should be invited to make short statements on, for example, an area of national significance etc. The public should not be left speculating who the delegates were, and what they were at the hearing for.

2.6 Conclusion of the Hearing

Conclusion of the hearing can take the form of adjournment or actual end of the hearing. For a public hearing, besides thanking all the publics that appeared for the hearing, a standard conclusion would end by inviting the audience to present their views through additional means in writing on the comment sheets which may have been provided or electronically through e-mail, etc. The chair will announce the committee's postal mail, e-mail, and physical addresses for the purpose.

HEARING ESSENTIALS OF DOING A PUBLIC HEARING

Opening of the Hearing

Explanation of Procedures to be Administered at the Hearing

Definition of Terms

Opening Words of Public Hearing

Introduction of Members of the Delegation

Closing of the Hearing

III. IMPROVING PUBLIC PARTICIPATION FOR PUBLIC HEARINGS

(A Proposal for Citizen Civic education Program on Public Hearings).

As it was recognised above, when instituting public hearings, citizen groups need to be facilitated with training programs and assistance to help them to testify at the hearings. Such training should be part and parcel of the civic education program of the National Assembly executed directly by themselves or an agency that is well versed with such training. The following areas are key for such training.

3.1 Training Issues

There may be a myriad of issues that the National Assembly may want to train the citizens on as part of their civic education program. For the purpose of public hearings, especially regarding the institutionalization of the practice, we propose that the following areas are a must.

- Concept of public hearing
- Objectives for citizen involvement in public hearings
- Agenda for the Hearing. Every time a hearing is to be undertaken, the National assembly has to find the most efficient (time and funds) way to not only inform but elaborate on the issues in the agenda (the bill or envisaged policy changes)

3.2 Training Tools.

- A citizen brochure on the proposed bills
- A citizen brochure on an envisaged policy changes.
- A citizen brochure on issues to put to scrutiny
- Public meetings

3.3 Approach:

- Must be in a laymen's language
- Explaining the highlights

- Use of diagrams and pictorial representation

WORK PLAN

The current work had a training component for MPs. In our estimate this may be inappropriate now because most of the current MPs are focused towards their elections chances. Any little time outside the Bunge sessions they will want use it in their constituencies.

We are therefore recommending that training for the MPs should be deferred to after the elections. We do realize from earlier consultations though that this might be outside the current project's timeframe. May be some action can still be considered.

A viable alternative is to have training for the entire team of parliamentary staff. The Training tool has been prepared with this target in mind. At various places in the training tool we have assigned the parliamentary staff, especially committee clerks and or hearing recorders with roles that compliment that of Committee or Hearing session Chairpersons.

The training of parliamentary staff is anticipated to facilitate more relaxed handling of the Hearings presided by the after the elections in-coming members of parliament.

During the training of the Parliamentary staff, some of them could role play the position of an MP chairing the hearing session. This could enable a video shooting that could serve as an onward training aid.

The training tool has some indication for the training of civics.

Max and Team

ANNEX D

HUMAN TRAFFICKING:

CHILD TRAFFICKING IN TANZANIA

Trafficking can simply mean carrying out any kind of illegal trade.

The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons (2000) Article 2 defines human trafficking to mean:-

The recruitment, transportation, transfer, harboring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud or deception, of the abuse of the power, or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation.

The Protocol defined exploitation further to include the exploitation or prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

Also these definitions do not necessarily require that a trafficking victim be physically transported from one place to another. They plainly apply to the recruitment, harboring, provision or obtaining of persons for the enumerated purposes.

CAUSES OF HUMAN TRAFICKING

As far as trafficking in persons is concerned, its causes have been linked to a variety of different reasons, these being complex and often reinforcing each other.

In most cases human trafficking is associated with, amongst other things; poverty, lack of employment opportunities, violence against women and children, weak social and economic structures, government corruption, political instability, armed conflict or the attraction of perceived higher standards of living etc. Here the employer or sexual exploiter of the victims constitute the demand group while the victim themselves are defined as the supply.

The traffickers effectively become an employment agent whereas the victims of trafficking (usually children) work in prostitution, domestic servitude and or in commercial enterprises. The child remains unschooled and untrained and worse still, she/he is separated from their family and community.

Trafficking on the other hand is also driven by the sex industry and the growing demand for exploitable labor. Sex tourism and child pornography are now worldwide industries facilitated by sophisticated technologies like the Internet etc.

TRAFFICKING IN PERSONS AS A HUMAN RIGHTS VIOLATION

Generally, trafficking in person violates fundamental human rights. These being universally recognized as the right to life, liberty and to

a larger extent, freedom from all forms of slavery. Children trafficked lose their basic rights. They need to grow up in a protective environment and to have safeguarded their right to live free from sexual abuse and exploitation. Today, the loss of family members especially as a result of the HIV/AIDS pandemic and the impact it is having on society, severely reduces the level of community support available which makes trafficking possible.

HUMAN TRAFFICKING IN TANZANIA

Tanzania is a country of origin, destination and transit for women trafficked for the sex trade.

Tanzania is said to be a source for children and women in trafficking specifically for the purpose of sexual exploitation and forced labor. Girls are mainly trafficked internally within Tanzania for forced domestic servitude and also to some extent for sexual exploitation - prostitution. Most of these girls are below 18 years of age. The majority of these younger girls are from Regions/places like Iringa, Tanga, Dodoma and Singida to name a few.

According to the Fourth Annual Trafficking in Person Report produced in June 2004 by the Government of the United States of America, Tanzanian girls are trafficked for sexual exploitation abroad. The destination countries include the Middle East, Europe and South Africa. The Report went on to say that Tanzania also acts as a destination point for women and children trafficked for forced agricultural labor and forced prostitution before being transported to the Democratic Republic of Congo, Kenya, India and Burundi. As a transit country, people are trafficked from South and East Asia and

the Middle East through Tanzania to Europe where they are used in the sex trade.

The Government of Tanzania does not fully comply with the minimum standards for the elimination of trafficking though it is said to be trying to make significant efforts to curb the situation. However in TAMWA's view there have been no tangible increased efforts so far shown by the Government in combating trafficking in persons in Tanzania.

Even though the Beijing Platform for Action and other international legal instruments call on Governments to consider ratifying relevant International instruments that make human trafficking illegal as well as to strengthen domestic legislation against trafficking, Tanzania has done very little. The country has signed, but is yet to ratify or domesticate the "Protocol to Prevent, Suppress & Punish Trafficking In Persons (*the Palermo Protocol*)" the document is a key anti-trafficking policy source.

PROSECUTION, PROTECTION AND PREVENTION OF TRAFFICKING CASES IN TANZANIA

Tanzania law criticizes trafficking in person for sexual purposes but the country lacks a comprehensive anti-trafficking law which addresses trafficking for the purposes of forced labor though it is prohibited by the Constitution.

As a result we have witnessed a great number of children from rural areas coming to towns to look for jobs and other opportunities. Most of these children are deceived that they are going to get good jobs,

to be taken to schools or just joining the traffickers family but in practice they become servants with no or very little salaries.

These examples are found in domestic service industry, bars and hotels, plantations, mining operations, fishing and brothels.

The survey conducted by TAMWA in 2000 showed that house girls aged from 12 and above were being over worked in homes and other industries with very little payment and without any terms or conditions of employment to protect their rights.

During the period of 5 years i.e. from 2000 to 2004, TAMWA rescued 23 house girls and provide them with their fares and escorted them back to their homes.

Many girls and other domestic workers have also reported cases of abuse and non payment of their promised salaries.

In addition to having to undertake long and often hard work, domestic workers are also subjected to sexual abuse, battery and physical violence and denial of other necessities like food, shelter, medication and annual leave.

The Sexual Offences Special Provision Act 1998, Section 139(A) provides:-

(1) Any person who-

(a) engage in the acts of buying, selling, or bartering of any person or for any other consideration;

(b) for the purpose of promoting, facilitating or inducing the buying or selling or bartering or the placement in

adoption in any person for money or for any other consideration-

- I) arrange for, or assists a child to travel within or outside the United Republic; without the consent of his parent or lawful guardian, or*
- II) Obtains an affidavit of consent from a pregnant woman for money or for any other consideration, for the adoption of unborn child of that woman; or*
- III) Recruit a woman or couples to bear children; or*
- IV) being a person concerned with the registration of births, knowingly permits the falsification of any birth record or register; or*
- V) Engages in procuring children from hospitals, shelter for women, clinic, nurseries day care centre or other child care institutions or welfare centers for money or other consideration or procures a child for a child for adoption from any such institution or centre, by intimidation of the mother or any other person,*
- VI) Impersonates the mother or assist in the impersonation, commits the offence of trafficking and is liable on conviction to imprisonment for term not less than twenty years and not exceeding thirty years and a fine of not less than one hundred thousand shillings or to both the fine and imprisonment and shall in addition be ordered to pay compensation of an amount to be determined by the court, to the person in respect of whom the offence was committed.*

The Government does not provide protection services for trafficking victims although it supports the work of Non Governmental Organizations.

In 2001 the Government of the United Republic of Tanzania through the Ministry of Labor founded the so called "*Trafficking Working Group*" but so far it has done very little and is therefore considered to be inactive.

In 2003 Tanzania created a "*Children's Welfare Desk*" at the Police Headquarters aimed at serving as a place for trafficking cases to be reported. It was also intended to be a place where trafficked children can go for help as well as liaison with and referral to local NGOs.

According to the June 2004 Trafficking In Person Report by the US Government, the Police Officers often collude with bar owners and other persons involved in commercial sexual exploitation. They are reportedly also engaging in questionable practices involving children and accepting bribes so as to ignore instances of trafficking which of course makes the fight against trafficking even more difficult.

Local Government in Tanzania in collaboration with the International Labor Organization (ILO) runs a programme called the "*Time Bound Child Labor Programme*" at the Village and Ward levels. The Child Labor Council is charged with reporting trafficking cases. However regrettably, no information is available as regards to the specific work of that Council.

WAY FORWARD

The Government should increase and improve the efforts and mechanisms in place for investigating and prosecuting those found to be involved in trafficking cases. This should also go hand in hand with the provision of specialist training to Law enforcement agents about trafficking. That training should include Police Officers, Magistrates, and Community Leaders for example Local Government Officials, Village and Ward Executive Officers and Ten Cell Leaders as they are the persons responsible at the grass root levels.

By: B. Kinyenje & M. Nyaruka

**From-Tanzania Media Women's Association (TAMWA) &
Tanzania Crisis Centre respectively**

ANNEX E

CIVIL SOCIETY PARLIAMENTARY LIAISON OFFICER (CPLO)

KEY THEMES:

- To promote awareness amongst Civil Society of the role of Members of Parliament as legislators and to increase public awareness of the issues discussed in Parliament,
- To organise regular meetings with CSOs on issues of concern and update them about the proceedings in Parliament,
- To provide dialogue forums within CSO groups to enable the public to express their views on various policy issues,
- To collaborate with the CSOs in order to present views on legislation pending before Parliament,
- The CPLO is a strategic entry point into Parliament to help influence the legislative and policy making process,
- The CPLO was specifically appointed to Parliament by CSOs and with a CSO mandate to track the progress of bills before the House and ensure the CSO's timely advocacy interventions.

MODALITIES AND OPPORTUNITIES FOR ENGAGEMENT WITH THE PARLIAMENT:

- The CSOs could engage Parliament through the presentation of Memoranda into the Parliamentary Committees,
- petitions to the Speaker (although the current Standing Orders would be very restrictive and petitions have to be routed through an MP),
- stakeholders' briefings,
- Dialogue forums,
- media programmes,
- information sharing through the development, production and circulation of the Parliamentary Monthly Bulletin (a newsletter on CSO/ Parliamentary advocacy interventions). To be discussed further with the NGO Council,
- Bills Analysis Boards comprising of lawyers and members of CSOs, who meet regularly to analyse bills before Parliament. The Analysis Board incorporates

experts from relevant CSOs to analyse bills as and when the need arises. These types of organs already exist within the NPF network.

KEY ACTIVITIES FOR THE CPLO:

- the CPLO needs to attend Parliamentary Sessions and Committee Hearings whenever there is an issue before Parliament that is of concern to the CSOs,
- The CPLO needs to work closely with the Public Relations Officer, the Editor of the Hansard, and the Office of the Clerk, particularly with the Committee Clerks, the Department of Library and Research.

INTENDED ACHIEVEMENTS/OUTPUTS OF THE CPLO:

- ⇒ the number of CSOs networking with Parliament and participating in the legislative process increases,
- ⇒ a marked increase in the public's awareness of legislative matters as a result of the impact of the Monthly Parliamentary Bulletin, the public dialogues and the media programmes,
- ⇒ CSOs succeed in influencing legislation by making contributions to a number of bills through the Committee Hearings.

CHALLENGES:

1. *Consensus Building:* A major challenge maybe that of consensus building among the CSOs with regard to contentious issues arising from the Bills. Negotiations need to be held with the CPLO in attendance as an observer but also as a Parliamentary expert to discuss and agree upon the most appropriate strategy to use when engaging Parliament. It is sometimes difficult for the CSOs to agree on which issues to present to the Committees and which to "trade off" by way of compromise. Whilst the CPLO has to be impartial within the CSO community they can nevertheless offer advice on the Parliamentary perspective.
2. *Funding of activities:* Sometimes unanticipated advocacy issues come up for the CSOs and the advocacy activities fall outside the predetermined budget plans. The CSOs then have to fundraise to meet these expenses.

3. *Mobilising the Members of Parliament:* It is sometimes difficult to mobilise MP's to attend advocacy initiatives. It sometimes helps to involve the Clerk to Parliament to issue out the invitations to all such events.

4. *Political Climate:* Sometimes issues which CSOs want to raise may cause problems if the climate is charged for example around elections or corruption but the CPLO ought to be aware of such sensitivities and advise the CSOs accordingly. In Tanzania there is a Member of Parliament elected by the ruling party to represent Civil Society which could be exploited by the CPLO & CSOs as an ally and build a working relationship with her.

SUNY/TANZANIA
MARCH 2005

DRAFT - CONCEPT PAPER

ANNEX F

SUMMARY OF OBSERVATIONS AND RECOMMENDATIONS FOR THE WAY FORWARD

1. Parliamentary Procedure and the functioning of Committees:

(a) Committees and Procedure

Presentations from the representatives of the House of Commons and their counterpart in Tanzania took place accordingly. Discussions followed immediately with participants noting the very elaborate bicameral system of the United Kingdom (UK) which carry a lot of complexities. This model may be so much complicated when looked at from the outside. The reason behind may be due to many years it has been in operation hence the numerous changes and polishing it has undergone over the centuries.

The United Kingdom has two Houses- the House of Lords and the House of Commons. The Lords are appointed by the Crown and the members of House of Commons are elected by the people through democratically held elections. The Lords form the Senate which is an advisory as well as a legislative arm of Parliament in the United Kingdom. Together with the House of Commons they debate on the bills which come before the Houses and finally give their final verdict on them. However in order for the Houses in the UK to perform their work expeditiously a very vibrant Committee System exists.

Select Committees exist in both Houses. In most cases these Committees are sessional but over the years they do change as they become more or less permanent with only a few new members coming in. Select or ad hoc Committees are formed when the necessity arises and they are charged with specific duties. Chairpersons are selected by the Committee of Selection with their members holding their positions say for a period of three sessions after which they will be supposed to resign. As there are similar committees in the House of Commons care is taken that there is not duplication.

However as for the Select Committees in the House of Lords they have the power to adjourn and meet without leave, send for evidence, confer with Committees in the House of Commons, co-opt members and specialists. Select Committee in the House of Commons in most cases deal with the purpose of scrutinizing government departments and their follow-up, public expenditure and administration, practice and procedure of the House and or domestic issues. As with Standing Committees their structure reflects the membership in the House of Commons and the chairperson is normally appointed by the Speaker. Quorum is normally, one third ($\frac{1}{3}$) and membership between 16 – 50. They come into existence whenever there is a bill to be discussed or any other parliamentary business after which they will cease. Other Committees which are particular in nature are the Grand Committees – Scottish Grand Committee, Welsh Grand Committee and Northern Ireland Grand Committee. They are specific in nature and in no way do they mix business with other Committees.

As for Tanzania the Parliament is unicameral. There is the president as the sovereign and the National Assembly (members of parliament) on the other. As in the UK the whole House cannot carry out its business efficiently while remaining as one House. There are several types of Committees namely Committees of the whole House, Select Committees, Standing Committees and Task Forces. Committees of the whole House normally deals with matters of vital importance e.g. passing bills, budgets, ratifying treaties etc. Select Committees are formed after a motion

has been moved and will deal with specific matters only. Standing Committees assimilate those in the UK although they may mix up their functions. They are charged with government follow up and keep an eye on public expenditure. Likewise when there is a bill or treaty to be ratified by the House the Speaker will direct one of the Standing Committees to debate upon it after which it will report to the House in the second reading. Task forces in the Parliament of Tanzania are normally appointed by the Speaker after a motion has been raised in the House. After completing its work the Task Force will report to the Speaker and its upon the Speaker to decide when to inform the House on such a report.

PROCEDURE:

We have already mentioned the basic functions of parliament. They include government follow-up and administration, lawmaking and ratification of international treaties, empowering the government by approving the budget as well as imposing fiscal measures, and approving the annual plan as well as authorizing the revenues and expenditures of each government ministry. The functions of the parliament in the United Kingdom as well as in Tanzania are similar. The Lords, members of the House of Commons and the members of parliament achieve their objectives of representation, lawmaking and oversight in:-

Questions – Written or oral questions may be asked by these representatives. The answers are supposed to provide information as well as quenching the curiosity of the electorate which in most cases is not well informed on the performance of its government whether at district/county or national level. Both in the UK and in Tanzania there are answers to both questions – written or oral. A written question will receive a written answer and an oral question will likewise receive an oral answer. The only noted difference between the two countries is that in the UK there is specifically a Prime Minister's Question Time which is typically oral and may relate to any issue in the country. In Tanzania Questions to the Government are normally written and the oral questions are particularly a continuation of the written questions, otherwise the oral questions will be considered inadequate and will be ruled out on a point of order.

Bills – will either be government or private bills. In both countries they will pass through three readings – first, second and third readings. As for the UK there are five major stages which a public bill will go through – first reading, second reading, Committee, Report, Third reading and passing of the bill. As for Tanzania the bill will go through the first reading, Committee and Report, Second reading and finally Third reading. The Speaker in Tanzania using the Standing Rules may even direct a certain bill to a Standing Committee before it goes into the House for the first reading. However this is rather an exception as most bills are directed to Standing Committees after the first reading. Otherwise the committees will debate on the bills and come up with the report to the House immediately before the debate and second reading. Unless otherwise the bills may be read for the third time the same day and said through.

Budgets – Government in the two countries will normally discuss the government as well as ministerial budgets and pass them through. There are not major intrigues between Parliament and the Government in passing the budgets. Be it that there are a lot of questions from the floor to the Government during the Budget Session is nothing more that the expression by the MPs that they would like to know more on certain issues hence the questioning. Otherwise the government in the waiting would very much like to takeover while the government of the day

would like to prove that it is the only capable government in power and not any other government can perform so meticulously.

As for now and having noted what is taking place in the UK as well as in Tanzania and having noted too the observations by the seminar participants would recommend the following, that:-

- (a) Tanzania despite her different background should endeavour to learn more from the parliamentary system in the United Kingdom,
- (b) The unicameral system in Tanzania is just as good as any other system elsewhere,
- (c) The Parliamentary Committee Structure in Tanzania needs to be worked upon even more thoroughly. We understand that the present Committee Structure has metamorphosed a number of times from what it used to be but it is the feeling of many that further changes could improve such a structure and score the achievement of institutional objectives. Each Committee would for instance be created depending on the needs. The needs definitely will dictate the type and qualification of the members and the two combined will of course come up with the minimum and maximum days for which Committee work is to be completed. However the appointing authority on the Part of Tanzania will have done a favour to these committees if the appointment of the members were to reflect MPs Party representation in the House, Committee needs per se, members experience and professionalism and lastly a maximum number of days for which committee work needs to be completed. Furthermore the maximum number of days for which a member would stay in a particular Standing Committee should always be stated. This method will do away with certain MPs staying too long in other Committees the result of which will be that such members will have very little time in other Standing Committees during their parliamentary period.

In as far as the bills are concerned it has been noted that the bills roll out of the mill quite late. In view of this the Office of the Clerk of the National Assembly which is now currently charged with sending the bills to the MPs hardly has sufficient time to expedite the job. Similarly the MPs have very little time to read the bills before they go for the first reading. Likewise the general public has not have had any time to receive/read the bill before it is presented in the House. We need much more time for the bills. Hence the much needed public hearing on the bills cannot be achieved if the situation remains the same. The Committee Clerk may neither become of better use.

The Committee Clerk who is supposedly to be a professional assistant to the Chairperson may be not so much the right person for the right job. Like the members the Committee Clerk should have some background or relevant experience with the Committee to which he/she is a secretary and should be assisted by someone for the administrative duties. Finally the Committee Clerk and their counterparts in the research department should share experience with their fellows in other parliaments and on other occasions in parliaments of the developed world. Otherwise where possible professionals and other consultants should be hired for Committee business. There is not a way we can shy away from them. We anticipate that with these changes procedure and committee practice in the parliament of Tanzania will change considerably.

2. Research Methodologies

In the United Kingdom the research department and the library are quite advanced. The only similarity between say the UK and Tanzania on research is that the type of research carried out in the two parliaments is the same. It is not the typically College/University type of research with populations, samples, questionnaires, controls, data and econometric tools of analysis. What members of parliament need is data (already processed) and other information. It is information required by the generalist.

The UK style is quite advanced on this in that they have already pre-determined what the MPs will require and prepare such information before hand. If not then they have already set up themselves to cater for such needs by recruiting and employing the necessary personnel, have acquired the necessary working tools, have set up working standards and have cultivated a culture of trust between the Committee/Research Clerks with the members of parliament. As Tanzania's experiment to establish a research geared secretariat over a long time has not bared good fruits and we would like to advice that in order for the MPs to enjoy good research services from the Office of the Clerk of the National Assembly then:-

- (a) A fully fledged research department should be established,
- (b) The research department should have the necessary personnel and be equipped with the required gadgets so as to perform their duties efficiently,
- (c) Funding of the Research department should be equally important as to the other activities of the Office of Parliament short of which it will be rendered less competent,
- (d) Formal standards of performances including request form formats, evaluation terms, committee/research reports and papers should be established. The UK among others could set an example for Tanzania.
- (e) Currently the research and Committee clerks should work together as an efficient way of using resources. There is not any benefit of shunning away from this as not even the MP, Office or the individual will benefit. Definitely there is every reason to congratulate whoever scores high on the scoreboard.
- (f) A culture of trust between the MPs and the employees of the Office of the Clerk of the National Assembly should be allowed to grow and permeate through the veins of all of them.

It is from such a culture that success is inevitable.

OUTCOME OF THE DISCUSSIONS ON THE VARIOUS TOPICS

TOPIC: PARLIAMENTARY PRACTICE AND PROCEDURE

PRESENTERS: Ms. Jacqy Sharpe (House of Commons)

DISCUSSION: Experiences and Practices shared between the
Two Houses regarding Committee Systems

ISSUES DISCUSSED:

1. **Access of Committee Reports by Press and Public:**

In the House of Commons, Committee reports may be made available to the Government Departments, Press, The Public and then MPs before presentation to the House.

In Tanzanian context, Committee reports must first be laid on the table but before then it is treated as confidential.

2. **Staff of Committee:**

In the House of Commons, a Committee is serviced by a Committee Clerk, On-training Clerk, and Committee specialist (on two years contract), Committee Assistant, Committee Specialist/Advisor (who serves in adhoc basis during inquiry session), Committee Secretary and a press officer.

Because of the above not much consideration is given to professionalism when assigning Clerks to Committees. What matters is knowledge on Practice and Procedure, Administrative and writing skills; Specialists assist in all technical and professional matters. In Tanzania as of now a Committee is served by one Committee Clerk who is expected to offer both professional and administrative services to the Committee.

3. **Government response to Committee Reports**

In the House of Commons, the Government/relevant department is given two months to reply. In the unlikely event of delay the Liaison Committee has to be contacted.

In Tanzanian context there is no fixed time for presentation of Committee reports. However Ministers respond on the spot or ask for more time to research.

4. **Presentation of Committees Reports in The House of Commons**

In the House of Commons Committee may present report anytime and seek debate on the reports.

In Tanzania presentation of Committees reports is subject to Speaker's authorization.

5. **Party Caucuses influence in Committee Work**

In the House of Commons party caucuses do not influence deliberations in Committees. Members are free to deliberate on matters and are not obliged to report to their whips.

In Tanzania Members also discuss issues in Committees free from strict party discipline, which is usually observed in the plenary.

6. **Convening of Committee Meetings:**

In Tanzania Committee Meetings are convened by the Hon. Speaker or Committee Chairperson after the Hon. Speaker's approval.

In the House of Commons, normally a Senior member of the Committee or the Chairperson convenes the first Committee Meetings. Thereafter Members decide whenever they want to meet.

7. **Budget for Duties of Committees**

In the House of Commons, the budget of the Committees is independent of the Government. In case of a trip abroad, the proposed budget has to be presented to the Liaison Committee together with reasons for the trip.

In Tanzania the budget having been approved by the Parliamentary Service Commission is presented to the House by the Prime Minister for approval. Committees meet in Dodoma or Dar es Salaam for 60 days a year.

8. **Selection of Members to Committees**

In Tanzania the Hon. Speaker appoints members to various Committees taking into account their preferences, academic qualifications, gender, party presentation etc.

In the House of Commons the appointment is a prerogative of the Select Committee.

9. **Impartiality of Parliamentary Staff**

Impartiality of Parliamentary staff is observed in both houses.

10. **Rejection of Government Motion by Committees**

In both Houses, Committees can't reject a Motion or a Bill; instead, they table their reports to the House with suggested amendments etc.

11. **Relationship between MPs and staff and attitude of the Public towards the MPs.**

In the House of Commons, MPs treat staff of Parliament with trust and confidence. Believe them to be neutral and professionals.

Attitude of the Public differ. They don't have much trust/confidence on the Parliament as an Institution but they have great trust over their individual MPs.

In Tanzania, MPs relationship with staff differs from one MP to another. Others regard staff especially Committee Clerks with respect as professionals and others regard them merely as clerical staff.

The Public attitude is similar to UK.

12. Private Members Bills:

In the House of Commons, many (Private Members Bills) are introduced (about 100), but few pass through all the stages from 1st Reading through to Acts of Law (about 5 – 6).

In Tanzania, the Standing Orders allow but few are introduced.

13. Speaker's participation in Politics:

In the House of Commons, a Speaker comes from a Political Party but once elected into the position, he/she has to resign from the Party and avoid participating into any Political gatherings to avoid suspicions of being Politically biased.

In Tanzania, it's different; The Speaker is nominated by the Party. There is no requirement for the Speaker to resign from his/her Political Party.

14. Recruitment of Staff into Parliamentary Service

There is a Commission in the House of Commons that deals with the recruitment of staff into Parliamentary service. Applicants pass several stages before they are regarded as successful; these stages include: written examinations, group works and oral interviews.

In Tanzania, Parliamentary Service Commission deals with the recruitment of Staff into Parliamentary Service. Several stages such as written examinations and oral interviews are involved here.

15. Formation of the Commission:

The stages involved are both the same (In House of Commons and In the parliament of Tanzania). Speakers chair the Commissions in these two Houses and Membership includes Leader of Government Business in the House and Back Benchers.

16. Issue of Opposition Members to Chair Public Accounts Committee (PAC)

- In the House of Commons:
- In Tanzania: Standing Orders require the same.

17. Orientation of New MPs on Committee Operations:

This is done in both (The House of Commons and Tanzania)

Que: Who conducts the orientation?

- In the House of Commons:
- In Tanzania: Committee Clerks, Senior Officers of the National Assembly and even professionals from outside.

18. Preparations of Committee Reports
19. Time allocated for Committees to scrutinize the Bills.
20. Adequacy of funds for Committee work.

RECOMMENDATIONS:

1.1. Hiring of Professionals and Specialists to assist Committees:

- Participants underscored the need for committees to include professionals and specialists to assist Committees when dealing with Technical matters as is currently done in the House of Commons.

1.2. Allotment of Committee Clerks to Committees

- Participants recommend that Committees be allowed to hire Professionals where practical necessary
- Committee Clerks should be attached to various Committees taking into considerationbackground.
- There should be other Committees Administrative Support to assist Committee Clerks.
- Training and Attachment Programs should be regularly conducted to enhance their professionalism.
- There should be explicit job description for each Committee Clerk to avoid overlaps.
- Committee Clerk should be equipped with requisite facilities such as Laptops at the Parliament for use by Committee Clerks

TOPIC: RESEARCH METHODOLOGIES AND PRESENTATION SKILLS

PRESENTERS: Mr. Rob Clements (House of Commons)
Mr. Basil Mtei (Parliament of Tanzania)

DISCUSSION: Experiences and Practices shared between the Two Houses regarding Committee Systems

ISSUES DISCUSSED:

1. Meaning of research/the concept of research

The two presenters discussed the concept of research and concurred that in parliamentary context research is the search for data and information to meet Member needs.

2. Source of Data/Information:

A range of sources of data was identified by the two presenters. These are as follows:

- (a) Library
- (b) Government Departments
- (c) Debates in Hansard
- (d) Parliamentary materials
- (e) Ministerial answers
- (f) Press notices/materials
- (g) Books
- (h) Pamphlets
- (i) Internet
- (j) White papers/Green Papers
- (k) Contact lists etc

3. Members accessibility to Research Services

In the House of Commons individuals members use Telephones; Library and Letters to register their intentions for research services, directly to the staff concerned.

In Tanzania, a member has to forward his/her request to the Clerk of the House who will in turn channel it to the Director for Research and Library, before being given to one of the Research Officers for action.

4. Categories of Research:

In the House of Commons Research services to members are both pro-active and reactive. The pro-active research anticipates members' questions and areas of interest whereas the reactive research answers questions from members as they arise.

In Tanzania context, research services are largely reactive.

5. Target Groups:

In the House of Commons research services are meant for the backbench members and the opposition members and not ministries.

In Tanzania the scenario is the same.

6. Accessibility of Information from Government Departments:

Government departments in the UK have been supportive in terms of giving information to the research departments. The free information act, which comes into effect from 1st January 2005 will make the Government more open and pro-active in this respect. In Tanzania there are still a lot of hurdles in accessing information from Government departments.

7. Impartiality of staff

In the House of Commons, impartiality is one of the fundamental aspects in research work. Staff have to be seen to be impartial.

In Tanzania research staff are supposed to demonstrate the highest degree of impartiality in discharging their tasks.

8. Presentation Skills:

Mr. Rob Clements (house of Commons) Introduced the concept of quality of information and associated elements such as accuracy, impartiality, reliability, clarity and efficiency. To achieve this one has to have the right material at the right time and right place. He further introduced the concepts of good inputs and the resultant quality in outputs.

RECOMMENDATIONS:

- 1.1. There is a need to come up with format standards for Committee and Research reports request from evaluation and Committee Reports.
- 1.2. The library and research department should be adequately funded in view of the ever increasing needs
- 1.3. There should be a team work among Research Officers and Committee Clerks there should be regular meetings between Research, i.e. & teller staff
 - To discuss common problems and find tentative solution
 - Research request form
 - Group review

TOPIC: SCRUTINY OF LEGISLATION AND HOW TO PRESENT INFORMATION TO MEMBERS OF PARLIAMENT

PRESENTERS: Mr. Rob Clements (House of Commons)
Ms. Jacay Sharpe (House of Commons)
Mr. Basil Mtei (Parliament of Tanzania)

DISCUSSION: Experiences and Practices shared between the Two Houses regarding Committee Systems

LEGISLATIVE PROCESS

There are three stages involved in the legislative process in Tanzania:-

1. **First reading in the House:** There is no discussion at this stage
2. **Second reading in the House:** The Minister responsible presents the bill before the House, explains the gist of the issue, aims and objectives of the Bill.

This is followed by presentation of a report from the Standing Committee which scrutinizes the Bill. At this stage the House also gets an opportunity to hear views of the Opposition on the Bill.

3. **Third reading in the House:** The Committee of the Whole House is involved at this stage. The Bill here is scrutinized section after section and finally passed.

Stages involved in the legislative process in the House of Commons – UK

1. The Draft Bill is taken either to the Scrutiny or Ad hoc Committee for scrutinisation and if there are any amendments the Ministry is advised to do so.
2. Research Officers read and produce brief reports on the Bill.
3. Finally the Bill is presented to the Whole House where Committee Members and all other MPs get opportunity to discuss the Bill and propose amendments if any.

EXPERIENCE:

House of Commons: Brief on Bills is taken seriously.

Parliament of Tanzania: In the past Committee Clerks especially lawyers used to produce briefs on Bills, but the practice has been discouraged.

Standing Committees and all other MPs now depend on explanation from the Ministers responsible for the bill and Stakeholders who attend Public Hearing on Bills. The problem is the Ministers may look at one side of the Bill only and the Stakeholders have their interests and their views may base on that.

RECOMMENDATIONS:

- Parliamentary officers are capable and willing to perform their duties if given the opportunity.

Brief on Bills is crucial because the duty of the National Assembly is not only to enact legislation but also to enact good legislation; therefore:-

- (i) **Job Description:** There should be explicit description of Committee Clerks and other officers to enable them perform responsibilities without fear.
- (ii) **Research Officers:** Officers with necessary background should be involved in producing briefs on Bills and other report to MPs.
- (iii) **New Members of Parliament:** Seminars and written guidelines should be given to MPs on many aspects of parliaments including functions on Committee clerks and other officers in the Office of the Clerk of the National Assembly.
- (iv) **Assignment of Committee Clerks to Standing Committees:** This should take into consideration the following:
 1. Education background of the Committee Clerk
 2. Professional knowledge on the burning issues of that Committee
- (v) **Improvement of Committee Clerks and Researchers Skills:** There is a need to have attachments to other Parliaments. If possible in old democracies.
- (vi) **Capacity Building Programs:** These programs need to include among others short courses including drafting, writing and communication skills.

RESEARCH METHODOLOGIES AND PRESENTATIONAL SKILLS **– The Case of Tanzania**

Briefly research literally means "looking for", find what is not immediately seen, try once again to find what we want etc. What may be sought may be material or immaterial. It could be an object or data or information. We can find an object in a geographical location, say a book in the shelf or a library in town, a forest around the mountain, cabbages in the garden, students in class, cows in the shed or shoes in my feet. Similarly we can have data from the foregoing say, there are a hundred (100) books in the shelf, two (2) libraries in town, a two thousand hectare (2000) forest around the mountain, twenty (20) heads of cabbage in the garden, forth-five (45) students in class, ten (10) cows in the shed and a (one) pair of shoes in my feet. We can enumerate this data from the field. However the existence of such data wherever it might appear does not make much sense though. The user will have to decide how useful such data is to him. Sometimes he may not be satisfied with the way such data appears hence in order for such data to become more useful to him he/she will have to process such data using various tools of analysis in order to come up with the required information.

Information is nothing more but news. What's up compared to the by gone! It may appear in terms of numbers or alphabets or the two combined. This information can be spoken, written and can be stored. It can be given orally, or can be written on a piece of paper or can be stored in a book, diskette, tapes or read only memory discs (ROM). The type and place of storage will depend on the convenience of the user. However when we talk about research methodologies and presentational skills in the parliament of Tanzania what do we actually talk about. The research we are talking about in this case is not the type of College or University type of research as we normally understand it. We do not have a theme to prove by theory whether what is being agitated is there or not. Likewise we do not have populations, surveys, pilot studies, samples, questionnaires, enumerators etc. What we normally have in parliaments is data and information which is stored in various places. It can be found in libraries or government departments and similar places. As for parliamentarians a lot of data and information can be found in the Hansard, government answers to MPs questions, press materials, books, pamphlets, papers and the internet. What the MPs actually need is secondary data and information which has already been published.

The Tanzania MPs will normally get their research services in three ways. First they can look for what they need on their own (self-searching), they can otherwise approach a government officer in the ministry for such needs or can call for an officer in the library and research department of the Office of Parliament. In the first case the MP will have his own motive as to why he/she would do it alone. The assignment could be quite short and the information required could be just an arm's reach away hence looking for an officer to do such a job would look unnecessary if not trivial. The officer could be engaged in something else. Otherwise the MP may have other reasons altogether as to why he should do it alone – it could be that it could take less time or it may be that the Mp did not want the information to get into the hands of other people altogether.

The government commands huge mountains of data and information. Some of this data and information may have left the government cabinets on their way to the libraries but most of the information or recent data on any project/sector will be found with the government. As we may have noted elsewhere the government stands independently on its decisions although it works very closely with parliament. In view of the different ministries, commissions all departments and

taking into consideration all the professional and technical staff who are manning the various jobs it becomes quite clear that the government and its bureaucracy maintains that amount of information which we can hardly find elsewhere. Hence the government official is will placed to provide the honourable MP with the information required. What if this official does not co-operate closely enough with the MP in that accord.

The government officer is accountable to his government and so he should report to his immediate boss. It could be that there isn't very much free flow of information in that ministry/department hence needing sanctioning. In case this sanction won't come out early enough the MP may get embarrassed something which he wouldn't appreciate. Otherwise on many occasions the government, knowing specifically that they are working together with parliament, would come up with a mechanism in which it would be possible for MPs to acquire data and information from their ministry with less effort. Whatever the case it may sometimes become difficult or the MP may not trust the officers in that ministry for the fear that the MP would be digging a dagger by so doing against that very portfolio. In order to abstain from such problems and unnecessary suspicion a good number of researchers are located in the department of library and research for the prime use of the MPs in their official parliamentary duties.

The research section currently located in the Library of the Parliament of Tanzania is just in the making. There have been talks about the importance of providing research to MPs so that they can perform their duties more effectively for over twenty (20) years now. At one time a special research department was meditated but never materialised. What actually came up is a term "Secretariat for the House". It may have meant that the Office of the Clerk of the National Assembly would be empowered such that it would not only carry out traditional parliamentary duties but would likewise provide technical and professional jobs for the betterment of the House and the MPs in general. It is in that motif that the office of the Clerk was referred to as a "Secretariat". Later on this branding of names disappeared and the Office of the Clerk was restricted and staffed with more well to do labour force.

Minimum entry qualifications from then have been a advanced diploma or first degree in the social sciences. A two-three years experience after graduation would be commendable but not very much necessary. The five departments i.e. Table Office, Committees, Finance and Administration, Library and Research, and the Hansard were strengthened by attaching these new recruits either by transfers from other ministries or by direct employment. The research fellows who include officers with backgrounds in legal affairs, economics, sociologists, public administrations and international relations perform their functions in accordance with the requests from the MPs as well as from the Clerk of the National Assembly. The duties which they normally undertake include the following:-

REQUEST BY TELEPHONE OR WRITTEN NOTE

Any member of Parliament whether a government minister or otherwise may have free access to the research officers. In case he/she would like to be provided with some data or information may either directly call the Clerk or Head of that department and forward his request. He may also contact one particular research officer directly who will accordingly inform the Clerk or the head of department as the matter may be concerning that request. Under normal circumstances the MP will have to give time limit as to when such job is to be completed. The officer who has been assigned with this request will, without hesitation, start working on it. When such an officer

is through then he will forward the same to the MP of course making sure that the head of department or Clerk is aware of what was communicated to that MP in view of his request. As a matter of convenience the officer will sit together with the MP say in one of the Committee rooms and interpret whether what he has put on paper is actually what the MP wanted. As from there that data or information, for parliamentary purposes will be the sole property of that MP and in no way shall the officer be blame or how he used it. Furthermore the officer shall in no way associate himself with the way the MP has used the data or information which he researched as requested.

TOPICAL PAPERS

Officers in the Research Section and even so with their counterparts in the other departments especially the Committees department are called for to write topical papers on many issues. It has been deemed quite necessary and to keep up with the professional and academic etiquettes to write these occasional papers as time may allow. It is the thinking of a good number of people that whenever there are burning issues in the House which normally attract a lot of public attention that such issues could thoroughly be researched upon and the papers be discussed in the relevant departments or in a meeting of Parliamentary Committee Clerks and Research Officers. This will help to widen and deepen the understanding of such issues by the officers and in case are MP or another parliament would like to exchange papers on that issue then could easily take place and of course it will be an eye opener. Such papers should be the independent and private thinking of the officer(s) in question and shall not be construed in any way as to intend to influence or reflect the thinking of the honourable members of parliament, otherwise the officers should have more time for professional duties and leave the more administrative day to day activities to other employees.

SEASONAL/ PERIODIC PAPERS

These papers are more or less general in nature and they do not normally stick to one issue. They may sometimes come out periodically and may cover part of a session or the whole session depending on the business which was covered. These papers may restrict themselves to one area e.g. How the Bills fared on in the First Session or How Active is the Question Time in the three semesters as against the Budget Session or The Young Turks against their Old Folks over the cake whichever catches the eye.

COMMITTEE FUNCTIONS

It has been accepted that there is a great need for the officers in the research section to join hands with their counterparts in the Committee Department. This understanding comes from the fact that the officers in the research section can be effectively used when the Committee Clerks are under big pressure and, at the same time, as these officer have the same background and are working for the same MPs it will be good for as many officers to understand what is being done in the nearest department. As such when need arises officers in the Research Section as well on in the Committees Department can interchangeably replace each other without much pain. Furthermore there are many similar activities which may be performed by such officer in these departments.

SPEECH WRITING

Speech writing is normally an art. For Journalists and other writers a good speech will always be a credit to him. However many people would prefer to write their own speeches but others may seek the assistance of other people. The reason for seeking such assistance is that they have no time to spare for such preparations in view of other more important undertakings. For some other people this will be a job which has to be done by some other people. Whatever the case may be speeches have to be written. What we may say is 'are the speech writers qualified for that job?' Or else they end up facing the wrath of those require such speeches ! Definitely each job needs a qualified and if possible a well experienced fellow. Should it be so one or two fellows well trained and experienced in that area should be recruited.

HOUSE OF COMMONS LIBRARY

Statement of Services

The Department of the Library supports the House, its committees and individual Members and their staff through the provision of research, analysis and information services. All work for individual Members is provided in support of their parliamentary duties.

The Library provides information to the public through the House of Commons Information Office, the Parliamentary Education Unit and the production of materials for the Parliament and Explore Parliament websites. The Library produces on-line and printed indexes to parliamentary proceedings and documentation and maintains the House's definitive sets of parliamentary papers, the Official Report and certain other categories of official material.

This document describes the nature and scope of the services offered by the Library Department. The Guide to Services is a fuller description of how to get the best from the Library.

Introduction

The House of Commons Library provides impartial information and research services for Members and their personal staff in connection with their parliamentary duties. The Library:-

- Provides information on the Parliamentary Intranet covering a wide range of subjects of parliamentary interest, along with training and support in the use of these resources;
- Answers on a confidential basis enquires from members and their personal staff in connections with their parliamentary duties;
- Prepares briefings on major bills, for many non-legislative debates and on other issues and topics of parliamentary interest;
- Provide seminars on topics of parliamentary interest;
- Provides library and reference facilities, including reading rooms for quiet study in the Members' Library in the Palace and in 1 Derby Gate, and the e-Library in Portcullis House;
- Provides a book loan and audio/video resource service.

The Library also includes the House of Commons Information Office and the Parliamentary Education Unit, which provide an information service about the work, history and membership of the House of Commons for the general public, and an education service about Parliament and its work on behalf of both Houses.

For further information about the location of services, service hours and how to contact us, see the Library's Guide to Services, Who does what in research? Or the Library's site on the Parliamentary Intranet.

Our Services

A. Online services

The Library provides a wide range of online services which are accessed via the parliamentary Intranet². Services include:

- Subject-based pages with links to the Library's briefings, useful intranet and internet sources and relevant parliamentary material;
- Statistical resources;
- Current awareness services;
- Access to the Library's parliamentary database and catalogue;
- Free access to a range of subscription-based information and documentation services;

STATEMENT OF SERVICES

- An IT help desk, training courses and printed guidance to support users of these services.

B. Enquiry Services

The Library answers enquiries from individual members and their staff, in connection with Members' Parliamentary duties; and from staff of the House in connection with their official duties; and assists select committees in their work. All responses to enquires are impartial and confidential. "Members" parliamentary duties is interpreted broadly to include activities such as speeches both in the House and outside, committee work, media appearances, constituency issues and casework, overseas visits and general briefing on matters of public interest.

Responses to individual enquires are tailored as far as possible to the specific topic and purpose of the enquiry; the scope of a response will depend on the nature of the enquiry and the time available in which to reply. The Library aims to meet all specific deadlines for enquiries. Where a deadline is very short it may be possible to provide only a limited response. Where no specific deadline is given, the aim is to reply within two weeks of receipt of the enquiry.

As a general rule, the Library will give highest priority to dealing with requests which relate directly to the current business of the House. Users should bear this in mind when making urgent requests in connection with other aspects of their work. The Library will respond to requests for information to enable members to reply to matters raised with them by their

constituents, including issues of local concern and constituency casework, but cannot give priority to such requests.

In responding to requests of this kind, the relevant law or policy may be described and other sources of help suggested, but specific legal or other professional advice cannot be supplied. Definitive answers to requests from constituents may not be possible.

Enquiries may be placed in person at the Library's enquiry points (members' Library, Derby Gate Library and e-Library) or by letter, telephone, fax or e-mail and responses can be provided by letter, telephone, fax or e-mail, as required. If specialised information is required it is often preferable to contact the subject specialist in the research service directly (though the Library cannot guarantee that the appropriate specialist will always be available). Subject specialists can provide oral briefings, make specialist sources available or advise Members' staff seeking to conduct their own research. We recommend that e-mailed enquiries should be sent to the library@parliament.uk; this address is regularly monitored and enquires can be allocated appropriately (eg if individual members of staff are unavailable).

When placing an enquiry, Members and their staff are encouraged to discuss their needs with Library staff and:-

- To give as much background as possible about the nature and subject of the enquiry, including the purpose for which the information is being sought, and the level of detail required.
- To give as much notice as possible, so that there is enough time to prepare a suitable response, and to give a specific deadline when a reply is time critical;
- To supply copies (not the originals) of any relevant documentation eg constituents' correspondence (bearing in mind the provisions of data protection legislation concerning the use of personal information);³
- To say where the response should be sent; if this information is not provided, answers will be sent via the internal mail when the House is sitting and the Members' post at other times;
- To provide a contact point (a telephone or e-mail address) so that Library staff can get in touch, if necessary, to clarify an enquiry.

The Library is not able to respond to the following categories of enquiry:-

- Requests arising from the personal, business or commercial interests of Members (or of their staff, family or friends).
- Requests for personal information about another member or individual where this is not already in the public domain;
- Requests from Members and their staff who are also members of any of the devolved legislatures in relation to matters which are the responsibility of the devolved administrations;
- Requests to draft speeches, lectures or articles;
- Requests for help with student or school projects (other than those on Parliament which are normally referred to the Parliamentary Education Unit);
- Substantial requests from Ministers on subjects covered by their departments;

- Standing orders to provide press cuttings or other material regularly updating a particular subject.

The Library can provide only limited assistance with the following categories of enquiry:

- Individual cases which require legal or other advice;
- Individual cases which seek information about administrative requirements in other countries
- Requests for verbatim translations, other than brief extracts; translations may be commissioned if they are likely to be of general use;
- Costly database searches or acquisition of expensive material likely to be of interest to a limited number of Members.

The Library aims to work with users, including members' staff, to ensure that their needs are met as effectively as possible. Depending on the nature of a request, and its deadline, when appropriate we will supply a tailored response to a question. If the deadline is short, we may supply existing briefings or, where this is the most effective way of responding, we may suggest sources for Members' staff to follow up.

If requests from a Member or their staff are placing an excessive load on Library resources, the Librarian may ask the Member concerned to reduce the number or complexity of such enquiries.

C. Pre-prepared briefings and other publications

The research service anticipates members' needs by producing briefings on subjects of public and parliamentary concern including a research paper on each major government bill and the top seven balloted private members' bills in time for the Commons second reading debate as well as on a wide range of subjects of continuing interest and for non-legislative debates. Briefings are revised and updated as circumstances require and resources permit. They are available via the Library Intranet site and can be provided in hard copy in the reading rooms. An e-mailed weekly listing of new and up-dated briefings is available from the Library web content manager [hcintranet@parliament.uk].

The House of Commons Information office published a Weekly Information Bulletin about the work of the House. This is available to Members in hard copy on free subscription. The Information Office and the Education Unit both produce publications primarily for the public but which may also be of use to Members and their staff. Most of these are available on the parliamentary Intranet and on the internet.

D. Seminars

The Library's subject specialists lead seminars on topics of parliamentary interest, principally for Members' staff. The aim is to hold these at least weekly when the House is sitting – details are promulgated by e-mail.

E. Library and reference facilities

The library provides reading room facilities in the Members' Library in the Palace of Westminster and I Derby Gate and also operates the e-Library in Portcullis House. Members' staff should

undertake an introductory tour before starting to use the Library's services in Derby Gate. The reading rooms provide access to a wide range of parliamentary and reference materials including Hansard, documents deposited by ministers, parliamentary papers, recent EU documents, legal resources, newspapers and journals. Specialist publications held by the research service can also be made available for consultation. PCs are available for use in the Members' Library, the Derby Gate Library and e-Library.

Staff at enquiry points will help users identify and locate the information or publication they require. Electronic documents (subject to copyright constraints) or internet/intranet links can be e-mailed to Members' offices for local printing of material from electronic sources. Photocopiers are provided for Members and their staff to copy Library material. Reasonable requests for one copy of material required in connection with parliamentary duties will be met where possible, but in some cases there may be restrictions on the grounds of length or copyright.

The Library does not generally have copies of official documents available for distribution to Members and their staff. Recent Hansards, House and Command Papers and a limited number of other official documents are available on demand from Vote Office, and the Library can provide advice on how to obtain official documents from government departments.

F. Book loans and audio/video resources

The Library has an extensive collection of books available for loan and the loans service is available to all Members and House of Commons Staff in connection with their parliamentary duties. Fiction titles are not normally supplied. Members' staff may not use the service themselves but may request and collect material on behalf of their Member. The Library aims to respond to requests for items from Library stock on the same day if they are not already on loan to another Member. Items not available from stock can usually be obtained through inter-library loan. Where it is considered appropriate to purchase items, and these are available within the United Kingdom, they can usually be supplied within a few days.

Books from the Library's stock are normally loaned for an initial period of two months but loans may be extended to a maximum of six months, unless required by another Member. Shorter loan periods may apply for items for which there is a waiting list; those borrowed from elsewhere must be returned within the period specified by the lending library.

Members may have a maximum of 20 books on loan at any one time. In addition, up to three members of staff may be authorised by each Member to collect items on their behalf, with a maximum of 10 items per member of staff. Members are expected to pay for the replacement of books that are lost while on loan to them. All items must be returned at a dissolution of Parliament.

Audio or video material may also be requested. If the relevant item is not available as an internet stream, staff will request a tape from the relevant broadcasting organisation. Tapes may be used in the Library's viewing room and are generally also available for short-term loan. They can normally be supplied within one week of the original request.

G. House of Commons Information Office

The House of Commons Information Office provides the public with information on the work, history and membership of the House of Commons. Its services include: an enquiry service by telephone, letter or e-mail; a range of information on the Parliament Internet site, including "Frequently Asked Questions", information on visiting Parliament and by-election results; and a series of Factsheets available on the internet or in hard copy on request.

H. Education Unit

The Parliamentary Education Unit's primary function is to provide an education service about Parliament for school students and teachers. The Publications and videos prepared by the Unit are available for use by Members. The Education Unit manages Parliament's education website [www.explore.parliament.uk] The Unit's staff can also provide advice and support for Members in their work with young people.

G. Quality Standards – There are many ways of controlling standards and the following shown briefly how is done.

Providing a considered response that could not be given instantly.

It provides guidance on standards to be achieved in every day written enquiry work by Library staff and relates primarily to letters and standard notes. Specific issues relating to e-mail are covered in the Quality Standard on Messaging Services. This guidance can be used to help set section objectives and those included in individuals' forward job plans. The standards are not set out in order of importance and the weighting may vary from job to job.

This standard is relevant to a wide range of enquiry-answering staff, including those in research, RRSS and the HCIO.

A. Quantity & Quality

Quality of output cannot be considered in isolation from quantity. Staff are expected to make an appropriate contribution to their section's output. In research sections the Enquiries database records the number of enquiries answered by individual staff. It is recognised that the number of enquiries alone does not provide a complete measure of an individual's contribution to their section's overall output. The number must be considered in the context of the individual's work and other commitments. For example: number and type of research papers written, membership of working groups, the nature of the enquires, time in post, etc.

B. Timeliness

Staff should aim to meet or beat all deadline. If this is not possible in the case of enquires from Members and their staff, the enquirer should be contacted before the deadline expires and a new arrangement negotiated. The two-week target in research sections should be observed. In research sections the Enquiries database records the proportion of enquires answered that fulfil this standard. It is important that enquiry deadlines are consistently and accurately recorded and enquires are signed off immediately after answer.

C. Presentation

The presentation of the response should help the recipient to understand the content and reflect high professional standards.

- In general, the response should be clear and free from typographical and grammatical errors.
- The answer should be succinct. Unhelpful or irrelevant detail should be removed.
- Graphics, quotations and pasted-in extracts should be used judiciously. When time permits articles or speeches should be summarised rather than pasted in.
- Statistics, tables and charts should be used when they will help illustrate a point. The statistics sections are able to provide statistics or advise on their presentation.
- Library guidance on presentation should be followed. This includes the Library Style Guide and any other specific guidance, notably on sending emails, which can be found in the Quality Standard on Messaging Services.
- Where available, the appropriate word processing template should be used.
- Related replies from more than one section or person to the same enquirer should be merged into one reply when time permits.

D. Content

- (a) Accuracy: The content of written answers to enquiries should be accurate. An appropriate range of sources should be used. In particular there should not be an over reliance on secondary sources. When using statistics or quotations this should be done accurately. Sources should be properly cited, the underlying principle being that the origin of any statement, and thus its reliability, should be apparent to the recipient, line manager and subsequent researcher using the written answer. It should be possible to recreate the letter or note from the sources quoted except where the author has made it clear that, for an appropriate reason, he or she is drawing upon his or her own knowledge. The recipient of the letter needs to be able to verify the statements in it and/or research them further.
- (b) Impartiality: The content of responses should be free from party political or other bias. This should be judged in relation to the question asked and the use and range of sources.
- (c) Fitness for use: Responses should focus on the question asked. They should normally start by summarising the enquiry and, if necessary, commenting on the coverage of the response. Responses should make clear how much knowledge is being assumed.

One-Off Publications

The term "one-off publications" refers to most of the Library's Research Papers and Factsheets and to other occasional publications, but not to user guides, nor period publications such as *New from the Library*.

This standard applies to staff responsible for authoring or editing such publications, including Research Library Clerks and staff in the House of Commons Information office.

All "one-off" publications of the House of Commons Library should have the characteristics set out below. More detailed advice on style and conventions may be found in the current edition of the Library Style Guide.

A. Appearance

- They are produced in adequate time ahead of any occasion to which the publication is linked and within any Library or Section targets.
- They are immediately recognisable as to their provenance.
- The purpose and subject matter are clearly indicated on the cover
- Style and layout are consistent throughout and in line with the current style guide.
- The layout of text and graphics lends itself to immediate intelligibility and rapid skimming.
- Where appropriate, use is made of colour, shading, tables, "boxes", footnotes etc to help the reader
- Paragraphs and sentences are reasonably short
- The paper is free of typographical errors.

B. Authorship and consultation

- They are subject to Peer review and should be proof-before publication
- Advice has been sought from the appropriate statistician on the possible inclusion of statistical material.
- Other researchers who may be able to contribute are contacted at an early stage.
- In some cases it is appropriate to consult appropriate staff in other Departments for advice or assistance (particularly appropriate for Factsheets).

C. Content

- The contents page is helpful and uncluttered
- Their key points are easy to find and assimilate
- Information given is up to date, as far as reasonably possible
- No information essential to the topic is omitted
- Terms, concepts and acronyms are explained at the appropriate point for non-specialists in ways that do not detain the more informed reader.
- Major sub-divisions are self-contained
- Tables and graphs complement the text
- Sources of Information are clearly and accurately cited in accordance with the Library Style Guide
- Further reading is suggested where appropriate
- There are clear references to any relevant parliamentary papers and proceedings.
- Any information provided in annexes is clearly cross-referenced to the main text.
- The use of material from other sources complies with copyright requirements
- Factual evidence is explicitly distinguished from opinion.
- A range of opinions is cited, encompassing not only the major political parties, but also significant extra-parliamentary organisations and academic specialists, where appropriate.

- Any commentary by the author is reliable and politically neutral
- The authorial style is brisk and unadorned, but engaging.

D. Special characteristics of papers describing legislation

E. Whilst conforming to the general characteristics outlined above, these papers additionally, and at minimum:

- Set out the current state of the law.
- Describe the pre-history of the measure in question
- Summarise previous attempts to legislate on the same issue(s).
- Refer to relevant party manifesto commitments.
- Note the territorial scope of the measure.
- Refer to proceedings in the House of Lords (when these have already taken place) and to any exercise of pre-legislative parliamentary scrutiny.
- Explain any connection with the EU and its legislation
- Comment, if relevant, on possible issues arising from the Human Rights Act 1998.
- Describe the most significant likely effects of the measure in plain English
- Identify the more and less controversial aspects of the measure.
- Note any potentially controversial proposal to use secondary legislation.

Appendix 1

A GUIDE TO ENQUIRY ANSWERING

Points to remember

- Have you checked whether a standard note (or previous enquiry) exists which might cover all or some of the question you are answering?
- Have you summarised the question you are being asked and provided a summary of your answer in the first couple of paragraphs?
- Are you being concise?
- Do you need to consult another colleague (statistician)?
- Are the sources you are using appropriately balanced and reliable?
- Have you properly evaluated the comments you are making /quoting?
- Do you need to contact a civil servant/policy expert for advice/information?
- Have you used an appropriate disclaimer about definitive advice, and that our service cannot replace legal advice?
- Do you need to look at the comparative context, in terms of devolved areas and the EU?
- Have you carefully proof-read your work?

Members' Research Service Quality Assessment Tool

Reference:	Reviewer:
Readership, eg. Individual AM: Committee members; those with a general interest in the subject:	
Aim, eg. General overview of a subject: detailed exploration of one area: responding to specific enquiry:	

ASSESSMENT CRITERIA	Mainly Yes	Mainly No	N/A	COMMENT			
Style and Structure							
<ul style="list-style-type: none"> • Is the briefing formatted according to the MRS style guide? • Is the briefing clearly written? • Is the language used in the briefing appropriate given the likely audience? • Are all sources of information referenced? 							
Selection of Sources and Use of Evidence							
<ul style="list-style-type: none"> • Does the paper over rely on one source of information (e.g. a single website)? • Are the opinions and views presented in the paper clearly attributed to those who expressed them? • Are the sources authoritative • Are a range of information sources presented? • Does the paper avoid emphatic statements about implications of research findings? 							
Accuracy							
<ul style="list-style-type: none"> • Are there any obvious errors in the paper? • Are there any obvious gaps in the subjects covered in the paper? • Is the information included in the paper up to date? 							
Balance and Impartiality							
<ul style="list-style-type: none"> • Does the paper present the different views of stakeholders in a balanced way? • Have issues of discrimination and equal opportunities been considered? • Is gender specific language avoided? 							
Further Actions Necessary Prior to Completion							
Circle Category	A Up to 4 hrs	B 5 – 8 hrs	C 9 – 12 hrs	D 13 – 16 hrs	E 17 – 20 hrs	F 21 – 3- hrs	G More than 30
Author Signature				Checker Signature			

COMMITTEE PRACTICE AND PROCEDURE

THE CASE OF TANZANIA

It is common knowledge, to many people, that it is not easy for large groups to find solutions to their existing problem in view of the large number involved. In order to provide an answer to such a problem, those involved devised a methodology which to date has worked out quite efficiently. It is the Committee System which has come out to provide such an answer.

In democratic countries, the people will elect their representative to sit in committees or forms which will discuss matters of their mutual interest. Either final decisions in such forms may be reached upon depending on the modus operandi set before hand. This means decisions may be reached through a consensus and if not then the Chairperson's verdict or a secret ballot may be chosen to find the winner. Be that as it may though it is quite considerate to have a look at the Tanzania Parliamentary Committee System, the various practices involved and, how as of now, do such Committees provide solutions to imminent problems and if not what are the proposals or suggestions which can be made so that the existing Parliamentary Committee Structure could even improve for the better.

Present Committee System:

The existing Tanzania Committee System is neither a replica of the Westminster model nor a copy lifted elsewhere be it in the Commonwealth or elsewhere from the rest of the world. What exists in Tanzania is practically a cocktail of what has been in practice in the United Kingdom in the many years bygone together with experiments adopted from elsewhere either within the Commonwealth or from the rest of the world and thirdly existing structures being the outcome of previous structures having undergone many change overtime, so that the new structures more or less suit prevailing circumstances. Accordingly we have the following Committees – namely:

- (a) Committee of the Whole House
- (b) Party Caucusses
- (c) Standing Committees
- (d) Ad-Hoc or Select Committees
- (e) Task Force

Committees of the Whole House:

When the House sits as a Committee, the Hon. Speaker will normally leave the chair without a motion being moved. It occurs when the House is to make major decisions including passing the Budget (supply) or going through a Bill. Under such circumstances, decisions will call for a two thirds majority or adjourn. Otherwise issues may be referred by this Committee to Standing Committees which later on report to the Whole House.

Party Caucusses:

The majority of the Member of Parliament (MPs) are elected into the House on party sponsorship. Hence we can talk of the ruling party having say seventy percent of all MPs in the House, twenty percent of all MPs, from other sources and the balance ten percent say appointed by the President of the United Republic of Tanzania. However when it comes to a matter of policy steering or decisions to be taken by MPs under party umbrella, then the MPs will meet as Party MPs and discuss in line with party policies. Hence the MPs will in these meetings (Caucusses) have a common and firm stand on certain issues which will call for decisions in the Whole House.

Standing Committees:

It is true that in regard to Parliament System of Government, the Whole House cannot in all cases deal adequately with all matters which come into the House as official business. The Assembly of MPs may break into smaller groups (Committees) which can adequately deal with other business. Any MP who is not a Minister may be appointed by the Speaker to be a member of any Standing Committee. Otherwise when the Minister holding a particular portfolio including his Deputy will become full Committee Members when official business concerning their Ministry is being transacted in the Committee.

It is the prerogative function of the Speaker to appoint the MPs into different Standing Committees. MPs appointed to the Standing Rules or Privileges Committees may likewise be appointed into other Standing Committees. However in appointing the MPs into different Standing Committees, the Hon. Speaker will adhere to:-

- (a) Appoint more or less the same number of MPs into every Committee,
- (b) Various types of MPs and their party proportional representation in the House,
- (c) Preferences as indicated by the MPs, and
- (d) Background of the MPs regarding their professions, experiences and Committee needs.

In their first meeting, in any case the members will elect their Chairperson and the Deputy Chairperson as they may choose. Otherwise when the Chairperson is not present for a certain meeting, members in attendance will choose one member amongst themselves to be the Acting Chairperson until that Chairperson comes back from whenever he/she may have been.

The Committee will meet having been called by the Hon. Speaker or by the Chairperson under the directions of the Speaker. Normally a quorum for such meetings will call for a third of the members in attendance and decisions will always be by simple majority. In terms of carrying out normal committee business, the Committee may allow other MPs who are not member of that committee or other people who are not Members of Parliament to participate fully in committee business but will not be allowed to take sides when voting takes place. Definitely the privilege to vote shall be restricted as a right to the members of a particular Committee. There is nothing wrong for non-members and members from the general public to share their views with the Committee, but to give these strangers in the Committee the right to vote is tantalizing with the rights and privileges of Committees hence no right to vote.

Be it as it may though all Committee proceedings shall be held in camera until when such Committees table their reports in the House. However in order to make sure that Committee work has received proper legal advice, the representative of the Attorney General shall always attend Committee Meetings and especially when Bills are at stake. With that we can now say that by creating various Committees so as to perform their duties better, the House is actually performing a constitutional function as required by Section 62 (3) & (4) of the Constitution of the United Republic of Tanzania in performing such duties in the year 2004, the Speaker of the Parliament of Tanzania through Section 87 (1) & (2) of the Standing Rules (2004) created the following Standing Committees.

- (a) Steering Committee,
- (b) Finance and Economic Affairs Committee;
- (c) Constitutional, Legal Affairs and Public Administration Committee
- (d) Public Accounts Committee;
- (e) Investments and Trade Committee;
- (f) Foreign Affairs Committee;
- (g) Committee on Standing Rules;
- (h) Defence and Security Committee;
- (i) Committee on Privileges;
- (j) Social Services Committee;
- (k) Natural Resources and Environment Committee;
- (l) Social Development Committee;
- (m) Local Authorities Accounts Committees;
- (n) Land and Agriculture Committee, and
- (o) Economic Infrastructure Committee

Steering Committee:

Membership include the Hon. Speaker as the Chairperson. Other members include the Deputy Speaker, Head of Government Business in the House or his representative, Head of the Opposition in the House or his representative, Standing Committee Chairpersons and the Attorney General. The Clerk of the National Assembly will be the Secretary to the Committee.

The main function of this Committee is to advise the Speaker on how best to carry out the business of the House in any session. It is worthy noting however that the Steering Committee may earmark or allocate specific time for which certain business will be dealt with by a particular Committee after which it will be deemed that the business allocated has been attended to accordingly, hence qualifying to the following step. Should it be that it was a Bill which was sent to such a Committee and for the time allocated the Committee Chairperson was yet to present Committees view and recommendations to the Speaker, then Parliamentary Business can not simply be delayed for the simple reason of awaiting Committee comments on that Bill. What normally will follow is for the Speaker to direct that such a Bill should now be put on the Order Paper so that the Whole House can now debate on it irrespective of Committee's comments.

Contrary to the one third quorum required for other Standing Committees, the Steering Committee will call for the attendance of the Chairperson, Head of Government of Government

Business or his representative, Head of the Opposition or his representative and three other members of that Committee.

Finance and Economic Affairs Committee:-

Member will be picked by the Speaker as the case may be for the other Committees and their members will be determined by the appointing authority.

Formerly membership to these Standing Committees was earlier on determined but in view of the various changes which Committees underwent over the years the number of Committee members to the Standing Committees has been left open for the Speakers to determine.

However, the portfolios for the Finance and Economic Affairs Committees include the Ministry of Finance and the Ministry of Economic Affairs and Planning. Among others the functions of this Committee will be:-

- (i) Consideration of the Annual Budgets for the relevant Ministries,
- (ii) Debating the Estimates of Revenue and Expenditure for such ministries
- (iii) Discuss any Bills including International Treaties which are proposed for ratification.
- (iv) Review and discuss reports brought to the Committee by Various Public Corporations as stipulated in the relevant acts, and
- (v) Ministerial performance follow-up in relation to section 63 (3) (b) of the Constitution of the United Republic of Tanzania (URT).

Constitutional, legal Affairs and Public Administration Committee

Members including their numbers will be similar to other Committees. However, the portfolios falling under this Committee include the President's Office – Regional Administration, Manpower Administration and Good Governance. The others are the Office of the Prime Minister and the Ministry of Justice and Constitutional Affairs. The prime duties of this Committee as it has been pointed out for the foregoing Committee include:-

- (i) Debating the Ministerial Annual Budgets;
- (ii) Discuss Bills and Debate on International Treaties intended for ratification ;
- (iii) Annual Performance report for relevant ministries and Public Corporations; and
- (iv) Ministerial follow-up in regard to the Constitution

Public Accounts Committee:

Members will be appointed by the Speaker as their number shall be determined by the Speaker himself. The duties for this Committee will be:-

- (i) Probing into salient areas as pointed out by the Controller and Auditor General in his Annual Report; and
- (j) Make a close follow-up as to whether previous Committee recommendations and instructions have been adhered to.

Investments and trade Committee:

Members will be appointed by the Speaker. The Ministries whose report are dealt with by his Committee are the Ministry of Industries and Trade, Ministry of Energy and Minerals, and the Ministry of Co-operatives and Marketing. The functions of this Committee include:-

- (i) Debating the Ministerial Budgets;
- (j) Debating the Bills and Treaties brought before the Committee;
- (k) Evaluating Annual Performance Reports for such Ministries and Public Corporations in that Sector; and
- (l) Ministerial follow-up.

Foreign Affairs Committee:

As with any other Committee, members are picked by the Speaker. However, the only Ministry falling under this Committee is the Ministry of Foreign Affairs. Similarly, the functions of this Committee will, as with the others, include:-

- (i) Debating Ministerial Budgets;
- (ii) Debating Bills and treaties intended for ratification;
- (iii) Discussing Annual Reports of Public Corporations or Institutions in that Ministry; and
- (iv) Evaluating Annual Implementation including ministerial follow-up in accordance with provisions of the Constitution.

Committee on Standing Rules:

Will consists of the Speaker and Deputy Speaker plus other members as the Speaker may deem fit. Functions of this committee include:-

- (i) Frequent review of Standing Rules;
- (ii) Study and evaluate any proposal of change in the rules which may be proposed by the Speaker or any member of Parliament; and
- (iii) Review complaints on Speakers Rulings or directives as may be brought before the Committee

The quorum for this Committee will be the Chairperson or his Deputy plus half of the members as appointed by the Speaker. Other rules notwithstanding a Minister of Government or his Deputy may become a member to this Committee.

Defence and Security Committee

Members will like any other Committee members, be appointed by the Speaker. While attending to the Ministry of Defence and Ministry of Home Affairs, the functions of this Committee will similarly be to those of other Committees charged with departmental responsibilities.

Committee on Privileges:

Its members will be appointed by the Speaker and will deal with any matter pertaining to rights and privileges of Members of parliament and any other matter as the Speaker may assign from time to time.

Social Services Committee:

Members are appointed by the Speaker. Portfolios under this Committee include the Ministry of health, Ministry of Science, Technology and Higher Education, and the Ministry of Education and Culture. Functions of this Committee are similar to those of other Departmental Committees as mentioned above.

Natural Resources and Environment Committee

Members will be appointed by the Speaker. The functions of this Committee shall be to follow-up the portfolios of the Ministries concerned, i.e. Ministry of Natural Resources and Tourism and the Office of the Vice President (which is in charge of environment and poverty eradication). Similar to the other Committee, the function of this Committee will in addition examine the Annual Budget, Income and Expenditure, Annual Performance, Parastatal Reports and finally Ministry assessment in line with the Constitution.

Social Development Committee

Members will be appointed by the Speaker. Members whose portfolios will be examined by this Committee include the Ministry of Social Development and the Ministry of Labour, Youth and Sports. Committee duties are similar to those with Committees performing departmental functions.

Local Authorities Accounts Committee

Members will be appointed by the Speaker. The functions of that Committee will be to:-

- I) Follow-up salient areas as pointed out in the Controller and Auditor General Report on Local Government of that particular year;
- (ii) Have a close follow-up of Committee directives as given in the previous years; and
- (iii) Conduct a fresh assessment on the Local Authorities in relation to overall performance in relation to public expenditure and table a report to the House.

Agriculture and Land Development Committee

Members are appointed by the Speaker and the portfolios for this Committee will be the Ministry of Land and Urban Development, Ministry of Agriculture and Food, and the Ministry of Water and Livestock Development. Similar to the other Departmental Committee, the Agriculture and Land Development Committee will consider and debate on the Budgets of these Ministries, go through their Estimates for Revenues and Expenditure for relevant years, debate on the Bills and International Treaties being sent into the House with reference to these Ministries and to carry

out particular follow-up of such Ministries just as with the other Committees as stipulated in the Constitution.

Economic Infrastructure Committee

Its members are appointed by the Speaker. The Ministries of which this Committee will be in charge of are the Ministry of Transport and Communications and the Ministry of Works. It should be sufficient however to say as it has been pointed out earlier that such portfolio Committees are similar in the functions and responsibilities and so it is with this Committee.

SELECT COMMITTEE

Select or Ad-Hoc Committee may be formed after a motion has been moved in the House. The Speaker will normally find the opinion of the members by requesting them to decide after the motion has been moved. In case the majority of the members agree that in view of the seriousness of the matter, a Committee of Inquiry be selected and probe into it, then such a Committee will be formed.

Members to that Committee will be appointed by the Speaker including the Member of Parliament who mooted the idea. The members will normally be between five to seven (5 – 7) and the Chairperson will be elected from amongst themselves. The terms of reference of such Committees will normally given to them by the Speaker including the time period for which these Committees will carry out their probe and come up with a report. Overtime we have had so many such Committees and to mention a few, we may include the Wanyamapori, Mohammed Enterprises and Tanga Sisal Plantations in relations to one Mr. Chavda.

However, we should note here that these Parliamentary Select Committees are different to the so called Government Commissions. Parliamentary Committees report to the House while Government Commissions report to the Government. The nature and function of Select Committees as against Government Commissions may be similar but basically they are different. Government may establish Commissions after such necessity has been aroused in the House, but such government action will normally not hinder the House from forming its own Select or Ad-Hoc Committees to probe into the same or other matter of public interest. The few outstanding Government Commissions which we can mention include the Kisumo, Mtei, Mramba, Judge Kisanga and Judge Nyalali Commissions.

TASK FORCES:

In short, Task Forces are definitely smaller than Standing Committees and hence smaller than Select Committees. In numbers the members are fewer than in these other Committees. Task Force membership will be between three to five (3 – 5) and their terms of reference will normally be limited. As for enabling the Task Forces to perform their duties, funding will normally be within the vote and using funds voted in for day to day recurrent needs contrary to Ad-Hoc Committees which will in most cases require for additional funds from the Treasury.

Standing Committees will have their funds allocated through the Annual Budget, hence such Committees will normally not have to run to the Treasury as their duties had already been known and were funded in the normal annual planning and budgetary process.

For Task Forces, therefore, their funding will depend on balances in the accounts. Finally Task Forces will submit their findings to the Speaker who will in turn decide whether such findings qualify to be tabled in the House or not.

Procedure for Parliamentary Committees:

The procedure for Parliamentary Committees is more or less the same except for a few Committees or other occasions. However to all Committees whether they are Standing or Select, all members will be appointed by the Speaker and the members in their first meeting will elect their Chairperson, and if applicable, the Deputy Chairperson.

The Chairperson will be in charge of all Committee meetings and any other official business pertaining to the Committee. The Chairperson will be assisted by a Committee Secretary who will normally come from the Office of the Clerk of the National Assembly or as the case may be from the government. Meetings will be convened under the directions of the Speaker or the Chairperson after the Speaker has been notified. In such meetings which are to be conducted in either Kiswahili or in English will have to have a quorum of one third unless stated otherwise, and its decisions will be made by the majority in attendance. Such meetings will convene in Dodoma or Dar es Salaam depending on the monies available in the budget as approved for that Committee in that relevant year.

The Committee may allow Members of Parliament who are not members to that Committee or people who are not Members of Parliament to come and participate fully in the activities of the Committee, but will however not be allowed to vote. Definitely allowing non-members to vote in Committee meetings so as to make decisions it tampering around with Committee rights. Be that as it may, we should say that other than the Chairperson, his Deputy and the Secretary, the other key person in the Committee is the Attorney General or his representative. The importance of this representative is well known in that for any official legal advice and especially when there are Bills before the Committees or Treaties to be ratified or any other matter which calls for official legal advice, then the Attorney General or his representative will have to be in the Committee.

In the carrying out of its functions, any Committee especially the Standing Committees may choose their modus operandi and likewise may form Sub-Committees. Formation of Sub-Committees however is important and will call for the sanctioning of the Hon. Speaker. This approval is necessary in that it may call for extra needs of funds, hence will need the Speaker's approval. Finally we say that any Committee to which the Speaker has directed a House Bill or any other Parliamentary business, shall be deemed to be the only and rightful Committee to deal with that business as it was assigned by the Speaker in the light of the Standing Rules of the House. In the end the Committees will have to come up with a report.

All committees as a matter of responsibility have to write reports pertaining to various businesses they were carrying out during the year. Standing Committees have to write and table their annual reports to the House at the end of the Parliamentary year. Ad-Hoc Committees likewise have to come up with Committee reports at the end of their business of which they will too have to table in the House. The House after being requested to decide upon the proposal will allocate time for which the House may amply debate upon such reports. Reports from Task Forces however will be brought to the Speaker and it will be upon the Speaker specifically to decide upon

such reports whether it will be appropriate for such reports to be tabled in the House and or hence call for debate by the Whole House or the Speaker after receiving such reports will go through them and briefly report to the House on such findings.

In any case suffice it to say that as a matter of rule, all Committee business including reports are restricted until they are tabled in the House. It is good to note that during the plenary sessions and when the House is sitting as a Committee of the Whole House that the mass media is allowed to cover up such proceedings and the public may have an opportunity of getting access to what the House is doing. Apparently it would have been better if the public were to access directly the proceedings of the Committees as they were taking place but yet we may say necessary amendments to our Standing Rules will have to take place in order to accommodate such changes. Otherwise our Committee Reports and other business remain to be restricted up to and until they are tabled in the House.

THE COMMITTEES IN THE UK

COMMITTEE IN THE HOUSE OF LORDS **COMMITTEES OF THE WHOLE HOUSE**

On certain occasions the House may sit together on other matters and not necessarily on bills. This may occur when the House is deliberating on matters of their own privilege or issue concerning Standing Rules. On such occasion the House will sit as one Committee.

Select Committees

The House of Lords may appoint Committees to investigate and report back to it on any matter which it considers appropriate. Other than Committees of the whole House and Grand Committees nearly all Committee in the House of Lords are Select Committees with their Lords specifically named. Sessional Committees remain appointed from one session to the other unless otherwise directed by the House. In most cases these committees remain permanent. Furthermore these and similar committees which are appointed on ad hoc basis for specific duties when they are through in their job they normally cease to exist. In any case select committees are normally formed after motions have been moved – motion to create the terms and reference for such committees and a motion for the selection of members. A Committee of Selection normally proposes the names of the members to the House and there is not a particular rule as to how many members there will be in a certain Committee. However members hold their positions on rotational basis (normally for a maximum period of three sessions) and thereafter they may be eligible for membership in that Committee once again. Other lords who are not members to that committee may attend by invitation and participate fully in the debates of the Committee but will not however be allowed to vote. The chairperson will however be in charge of all Committee business and in case of his absence the deputy Chairperson will take over short of which Committee on Selection will have to appoint somebody for that function. In any case the powers of Select Committee are as follow. Power to:

Adjourn and meet without leave,
Send for papers or persons,
Confer with Committees of the House of Commons,

Appoint sub-committees

Co-opt other or additional lords to serve on the Committee from time to time,

Produce reports,

Adjourn from one place to other to gather evidence

Hear witnesses and gather evidence against counsels unless directed by the House, and,

Appoint specialist advisor,

In any case the functions of Select Committees broadly remain to be legislative, investigative and domestic. Some Committees specifically deal with bills while others indulge in investigative functions at the end of which they will have to come up with reports. However, some committees including the House of Lords Offices Committee, Committee on Privileges, Committee on Procedure and the Liaison Committee will always make a follow up on how the business of the House is being carried out and advice accordingly. Without watering down the foregoing in any case Select Committees in the House of Lords should not duplicate similar work being done in the House of Commons, in fact they should focus their work towards the basic business being carried out in the main chamber of the House and as a matter of principle the sessional committees should be supplemented by an ad hoc committee at any particular time.

Select Committees in the House of Commons

Such committees are appointed by the House to perform specific functions as it is with similar committees in the House of Lords. This notwithstanding there are five main types of select committees in the House of Commons as provided for in the Standing Rules:-

1. Department Committee which follow up government ministerial performance,
2. Public Accounts Committee (PAC) and Committee on Public Administration,
3. Internal Committees which are responsible for practices and procedures of the House,
4. Scrutiny Committee which specifically advise the House on proposed legislation as well as delegated legislation, and
5. Domestic Committees which advise the Speaker on the provision of services to the House.
6. Generally Select Committee possesses no other power except that which it derives from delegation of the House. However these Committees may have some or all of the following powers. Power to:-
 - Send for persons papers and records
 - Appoint specialist advisors
 - Report from time to time
 - To meet at their own convenience even when the House has adjourned,
 - To meet away from the legislative seat (Westminster)
 - Appoint sub-committees, and may
 - Exchange papers and or meet concurrently with other Committees including the Committees of the House of Lords.

General Standing Committees have the following characteristics:-

Membership –

- Chairman is appointed by the Speaker from the Chairmen's panel
- Member range between sixteen to fifty (16 – 50)
- Members are selected on consideration of the bill and new members appointed thereafter accordingly
- Members are appointed in consideration of their qualification and to the composition of the House.
- Strangers are allowed to participate in Committee setting unless directed otherwise,
- Quorum is one third ($\frac{1}{3}$) excluding the chairperson

Other Standing Committees include Standing Committees on:-

- (i) Delegated Legislation
- (ii) European Standing Committees

Grand Committees

- Scottish Grand Committee consisting of all member from Scottish constituencies
- Welsh Grand Committee
- Northern Ireland Grand Committee

All these Committees as a matter of procedure have to produce reports at the end of their business including Joint Committees of the House of Lords and the House of Commons.

THE REPRESENTATIVE LEGISLATIVE AND OVERSIGHT FUNCTIONS OF THE PARLIAMENT IN TANZANIA

The Parliament in Tanzania is composed of two main parts. There is the President of the United Republic of Tanzania on one part and on the other there is the National Assembly. While the President of the United Republic of Tanzania (URT) is the Head of the Executive he does closely share other responsibilities with the other pillars of administration – the National Assembly of which with him they form the Legislative and the Judiciary which on one or other occasions he has to come in so as to have a balanced fair play in the so called parliamentary government democracy. Be that as it may though let us have a look at the basic functions of parliament in Tanzania.

There are three major functions of Parliament in Tanzania. These functions are representative, legislative oversight and administrative. However as we said that there are two sides of parliament, that is, the President and one National Assembly. May be it seems fair to highlight how these two come into being. The constitution of the URT and the Elections Act of 1985 call for civil and general elections to be carried out throughout the country. The outcome of such elections is that we have representatives of the people at village and ward level and for the county or district we have a member of parliament. Along with the election of the members of parliament a President of the URT is elected.

Constitutional amendments which took place in 1992 enabled the country to go multipartism after about thirty years of one party rule. Officially after the 1995 general elections The National Assembly was not anymore a monopoly of members from one political party but actually included members from other parties. Altogether the dominant ruling party continued to command a large number of the House as the other parties were still in their nascent stages. Hence from 1996 – 2004 the members of parliament from the non-ruling party were quite few in number and sometimes it was difficult for them to form official opposition in the House in accordance with the Standing Rules. It is good to note though that despite their numbers the opposition has been allowed to be heard and the Government has likewise been allowed to rule. Let us have a look at the members of parliament (MPs) in general and thereafter we can look at their performance singly or as a Committee of some sort.

We pointed earlier on the basic functions of the members of parliament. However it is the expectation of the most of us that in a peaceful democratic society and where the rule of law governs that the general elections will come up with well educated and experienced people who will be able to represent and fight for the social and economic needs of their people. The following are the categories of members of parliament which turn up for the first session in a New House in Tanzania.

Elected members – Are those members of parliament who managed to go through and won the elections. The party with the majority of the MPs and definitely the votes will form the Government. Hence its president will take the seat as head of the Executive and the Prime Minister will stand in for him in the House as head of Government Business.

MPS from Other Parties –

Are those members of parliament who do not come from the party which won the elections. These members identify themselves with their individual political parties and when MPs hold party meetings every MP will stand with his/her party. When necessity arises together they form the official opposition against the MPs of the ruling party. However according to the House Rules the members of the Opposition side will have to total not less than thirty (30) so that they can officially be recognized as Official Opposition. Short of that any statement made in the House or any view given by any of the members outside the ruling party will accordingly be construed to be a view from that political party from which that particular MP hails from.

Women/National MPs –

Are women members of parliament who come to the House through special meritorious arrangements. It is the consensus of many people in Tanzania that women like men have a natural right of becoming leaders or representatives of the people at various levels. However when we look back over the years we see that not many women have succeeded to become leaders even if they make so many attempts. Some of us relate such failure to men's chauvinistic tendencies but that could not be all that true anyway. On the background there could be some other reasons including gender, social or economic which singly or together unable the women to win the elections. In view of this prevalent situation therefore it has looked prudent for the time being to find a way of increasing the women MPs in the House without going through the torture-some elections. Up to the elections of year 2000 women enjoyed special seats to the tune of fifteen per cent (15%). In other words without taking into consideration those women candidates who were able to make it through the elections in the constituencies fifteen per centum of all the elected MPs will be new women MPs who will be nominated by the various political parties as may be directed by the Electoral Commission. The purpose is to increase the number and strengthen the womenfolk in the House. As of now the per centage has been revised to thirty (30%) in good faith.

House of Representatives MPs –

Are those MPs who are elected by the House of Representatives in Zanzibar to represent the House in the Union Parliament. As of now their number is five.

The Attorney General –

Is an ex-officio member of parliament and his

main function is to advise the House and the Government on all legal aspects pertaining to the official business of the House – bills, international treaties or any other matter to that effect.

With these categories of MPs it is amply justifiable to see how they perform their typical functions either individually or as a Committee of one sort or another. Being a representative of a constituency appointing authority or House the member of Parliament will attend all meetings which require his presence as a member of parliament. Such meetings may be at ward, division or district level and may concern the social well being of the people of that area. The purpose of those meetings may concern education, health, water availability or good transport for that area. Otherwise the meetings could take place at regional level or if not then the members of parliament will have to meet as members of parliament in the administrative capital and deal with matters of national interest. As mentioned earlier the members of parliament while performing their duties of representative, making, oversight and administrative functions accordingly will do so through:-

QUESTIONS:

-MPs may ask questions needing clarification or calling for answers which will enable the honourable MP to achieve what he/she may have in hand. They may ask questions at any sitting of which they are members and with the answers the MPs may now stir their way through. At national level the MPs may ask questions during committee sessions or as individual members when the House is sitting and getting answers from the government during Question Time. As we noted the MPs will ask questions in order to get informed on what steps the government is taking concerning certain issues which the MP(s) will be interested in. Indeed the purpose of the MPs asking the questions will not be limited to getting the information only. In addition to receiving the right answers to their questions the MPs in asking their questions have the benefit of being heard by the voters in their constituencies. Definitely the voters will have heard their MPs airing their views in the House and likewise they will hear the replies to the questions and specifically to the issues which pertain to their constituencies. The voters become happy hence satisfied that their representative in the House i.e. the MP is doing his job effectively hence he is worth their votes. Otherwise when their MPs participates in the Question Time by asking written questions and then followed by oral questions the voters get happier that their representative is doing a good job and may qualify for another chance. In these questions therefore the MPs do not only have a chance of holding the Government to stake by getting the right information but likewise the MPs get satisfied that in that process of getting the right answers the electorate gets the answers to their various problems in their constituencies. If, for instance, the government gives an affirmative answer that it has already secured the necessary funds for the construction of the dispensary, health centre, school, road or for building a pipeline to provide safe water for the people in that particular year then it will be happy news to the people of that constituency. It is through such questions during Question Time in the House or through other questions in Committee or other sittings that the MP will get the necessary information which will assist him in performing his duties better. The Constitution of the URT allows the MPs to take the

government to be accountable to the people (through parliament) by providing the necessary information concerning its performance.

LEGISLATIVE PROCESS -

Law making is one of the most important duties of parliament. In Tanzania there are two types of Bills

- Government bill and private bills. The majority of the Bills emanate from the government and occasionally we do have private members bills.

As it is in many places elsewhere a Bill will have to pass through three Readings – First, Second and Third Readings. In the first reading the Bill will be read in the whole House after which no debate on that bill will take place. Thereafter the Speaker may assign a particular Standing Committee to go through such a Bill at the end of which such a Committee will inform the Speaker of having completed their business. It is in the Second Reading after Committee work that the Bill is tabled in the Plenary Session. At this juncture the work of the House is simplified as the Committee which was assigned to discuss the bill now tables its report for discussion. The House may take sometime debating on that Bill and in case there are changes which need to be inculcated then the Minister responsible will do so accordingly. It is good to note that either the House may once again direct the Bill to the relevant Standing Committee for re-working. When the Committee has finished its work and the House finally ends the debate on that Bill then the Minister winds up the debate in this Second reading while informing the House that he is winding up the debate on that Bill having considered the comments and accepted amendments as suggested by the Committee as well as the House. It is at this juncture that in case there is not any opposition or suggestions against the Bill becomes ripe for a third reading. Definitely in the Third Reading the Clerk will read the long title of the Bill to the House and of course alerting the members that amendments including additions as suggested by members have been adhered to. It is from here that the Bill goes to the President of the United Republic of Tanzania for his approval after which it becomes law. Be it that in one way or another the President is not ready to give his assent then he will return the Bill to the House and giving reasons as to why he returned the Bill without his assent. All in all let us have a look at the other important undertakings which need to take place so that the Bills may go through the three readings accordingly and finally sail through:

- (1) **Bill to be Gazetted** – In accordance with the House Rules

every Government Bill is supposed to be gazetted at least twice and within twenty-one (21) days before it is read for the first time in the House.

- (2) **Printing of Bills** – In order that the bills qualify for the twenty-one days it means that they have to be printed sometimes earlier.
- (3) **Public Hearing** - The purpose behind printing and gazetting the bills at least 21 days before the first reading is to give sufficient time for the MPs, general public and other stakeholders to digest through such bills and come up with their own opinion before the 1st Reading. Accordingly Standing Rule 88 (6) allows non-Committee persons into the Committees to participate fully in Committee business only that they wouldn't be allowed to vote. This being the case therefore it implies that such Bills need to role out of the print say three weeks before they go to the House. Noting that by necessity the Office of the Clerk will have to forward copies of such bills to the MPs at least three weeks before the 1st reading then it even becomes more sensible that there is a need of printing such bills way before the required period. Similarly so, and taking into account that "public hearing" to our bills is rather a new phenomenon it would sound better to give those interested in giving views or evidence to the Committees ample time for them to do so.

Mass Media and Parliament - As for now the members of the mass media are allowed to cover plenary sessions and on their own (the newspapers particularly) can find time to comment on the bills which are being brought into the House. The media in this case does quite a commendable job in that it informs the public on the bills which are to be brought before the House and at the same time they let the public have their feelings by giving comments on such bills.

However the work by the mass media is not quite exhaustive as Committee work including reports are restricted until such reports are tabled in the House. This by implication means therefore that the public may give evidence to the Committees if invited but if not then it will be orchestrated by the Committee members on their own. Moreover there have not be an occasion where the Minister responsible for a certain bill participated in a Committee Session where members of the public were giving their views on such a bill. Normally the Committee Chairperson being in charge of all Committee business briefs the Minister on what the witnesses have

testified. Otherwise it is common practice that the Minister will meet the Committee after the witnesses have appeared and testified and, of course, after having been briefed by the Chairperson. All in all with Bills and the law making process ratification of international treaties by the House normally does not take such a long process. The Ministry in charge and in this case the Minister responsible for foreign affairs and international co-operation along with the functional ministry forward to the Office of the Clerk the Treaty to be ratified. The Speaker having received such a proposal will directly send it to a particular Committee which debates on such a proposed Treaty and finally reports back to the Speaker. It is as from here that the proposed Treaty will be put on the Business of the Day by order of the Speaker and after the discussion in the plenary a decision will have to be taken as to whether the House ratifies such a Treaty or not.

Oversight

The URT constitution empowers the parliament to have the government accountable to the people. In doing so Parliament through its various Committees calls for the government to come up with concrete policy implementation reports or any other matter concerning fiscal or budgetary matters. Such reports may also concern the implementation of any project whether national or regional or may concern recurrent or development expenditure of any ministry.

As with development planning the process will begin at the village and ward levels where the member of Parliament is an active participant. As the district supervises and coordinates all division and ward plans it finally submits for discussion such plans and recurrent annual budgets to regional heads for similar synchronization. The members of parliament coming from all the districts in that region are members of that Regional Committee and it is at level that equity in resource distribution is practiced amongst the various districts. Finally all the regions submit their regional annual development and recurrent budget to the relevant ministry which together with the budgets of other functional ministries will be assembled together and become the Annual Development Plan and Recurrent Budget for the government for that particular year. During the Budget session the MPs sitting in their various committees will debate on the Government Budget and approve the same. It is in that process that the House will pass the Appropriation and Finance Bill which will in essence approve the various fiscal measures as a way of raising the necessary revenue to finance the Budget. The MPs during the initial meetings concerning the Budget in the districts/regions or Question Time, the Committees or in the plenary session deal fairly reasonably with matters which concern the voters of whom they are their representatives. Hence when sitting as a Committee of Supply the MPs together legislate to raise revenue, attract foreign investment, approve government budget as well as individual ministerial expenditure and similarly approve sectoral policies.

In this mode of parliamentary government we may safely say that the three pillars of administration work interdependently while at the same time each one of them maintaining a sizeable amount of autonomy over each other. In this case parliament works quite closely with its government in enacting laws, approving budgets and fiscal

measures and making the government accountable for its undertakings. The members of parliament with their role as representatives of the people participate directly in the execution of such duties and a House will be deemed efficient in such matters depending on the surroundings on which it is operating.

In Tanzania all members of parliament have been provided with private means of transport. MPs have been accessed to car loans of which they are supposed to amortize at the end of the parliamentary year. To make it easier the government has also provided fuel to these with reliable transport. Every MP is supposed to have an office in his constituency and in that office the MP is provided with a driver for his car, a secretary, telephone services and free medicament for the MP and his family. Finally the remuneration for the MPs has been revised now and then so as to make them more comfortable.

SUMMARY OF PROCEEDINGS OF PARLIAMENT IN PASSING PUBLIC BILLS IN THE UNITED KINGDOM

The practice of passing bills for both Houses i.e. The House of Commons and the House of Lords is similar. They normally go through five stages in the three readings as follow – first reading, second reading Committee, consideration of report from committee and third reading. Private bills will likewise pass through the same stages but on the contrary they are subject to different set of standing rules.

Government and Private Members' Bills

Most bills originate from the government and a few from the members privately. Government bills may originate from the House of Commons as well as the House of Lords and are expected to contain the following:-

- Citation and short Titles
- Long title setting out generally the purpose of the bill
- Preamble stating the reasons for carrying up with that bill and the effect of the proposed legislation
- Enacting formula showing the authority
- Clauses
- Schedules and an
- Explanatory memorandum showing any pecuniary effects on the private sector and manpower implications on the public service.

Proceedings in the House of Lords

- Introduction and First reading
- Second reading
- Committee
- Report and
- Third reading and Passing

Recommended minimum interval the stages of a bill:-

- (a) Two week ends between the first reading and the debate on second reading
- (b) Fourteen (14) days between second reading and the start of Committee stage
- (c) Fourteen days between the end of the Committee stage and the start of the report stage (especially for long and complex bills)
- (d) Three (3) sitting days between the end of the report stage and third reading.

Notice is normally given whenever these intervals are departed from. However Standing Order No. 44 provides that:

"No bill shall be read twice the same day; No Committee of the whole House shall proceed on any Bill the same day as the Bill has been read the second time; no report shall be received from any Committee of the whole House the same day such Committee goes through the same Bill, when any amendments are made to such Bill, and no Bill shall be read the Third time the same day that the Bill is reported from the Committee, or the order of commitment is discharged."

First Reading

Members of the House of Lords are privileged to come up with Bills at any time. They do so by reading its title and will normally take place after the adjournment of the official business. No debate follows thereafter as the members haven't any knowledge about it. The Bill is then printed and of course carrying the name of the Lord. Otherwise as for the Bills originating from the House of Commons the procedure will be that the Clerk of the House of Commons will forward the Bill to the Speaker of the House of Lords with a message that the Bill has passed through all the necessary stages and has been approved by the House of Commons. The Clerk at the table will read the title of the Bill immediately when such business comes up and as a matter of courtesy and for the reason that the Lords have not read it will accept that such a Bill from the House of Commons will have been read for the First time in the House of Lords. Otherwise a Lord has the mandate of withdrawing a Bill from the House before it goes for the Second Reading.

Second Reading

It is in this reading that the general principles of the Bill are elaborated. The Bills long title is read by the Clerk at the Table and motion is raised that the bill is now under debate. The debate continue but as for those who would like to oppose may do so by opposing without amendment (calling for its withdrawal), delaying amendment (by say deleting the word "now" and inserting the words 'this day six months later) the purpose being is for the bill to expire before the effective date comes for the following stage, and reasoned amendment where it is proposed to delete all the words after "That....."and insert different words so that necessary amendments are made.

COMMITMENT – According to Standing Rules (45) any Bill after the Second Reading will be committed to Committee of the whole House and of course amendments to the Bill may be moved in during Committee, report or during the third reading.

Committee Stage (Committee of the Whole House)

All Members of the House convene together and carry out their business under Chairman rather than the Lord Speaker. The committee continues to debate on the bill and finally with or without amendments. At the end the Chairperson notifies the Committee that the Committee has gone through the bill with/without amendments and will report to the House.

REPORT – The Lord in charge of the Bill and if applicable a member who moved amendments are the ones who will report that the Bill with amendments now be accepted and be printed.

Third reading

The third reading is very formal and no debate which is allowable a motion "That bill be now read a third time" will be moved. In case the Bill will require the assent of the crown then it will be sent for her assent.

Proceedings in the House of Commons

Introduction - Bills may be introduced in the House of Commons in three ways

- Upon the order of the House
- Under provisions of Standing Order
- May be brought from the House of Lords.

First reading

- Bills shall be read for the first time without any debate taking place and rest of the procedure will follow depending on the nature of the Bill.

Second Reading - Bills will mature for a second reading just as it has been described in the House of Lords. Similar procedure including amendments will take place.

Commitment - all public bills will have to go through Committee Stage where amendments, clause and schedules to the bills are included. At Committee level no bill can be withdrawn as the Committees have been assigned the work by the Whole House.

Report - After the Committee has been satisfied with the work on that Bill then it is the Chairperson who will report to the House that work on the bill has been completed.

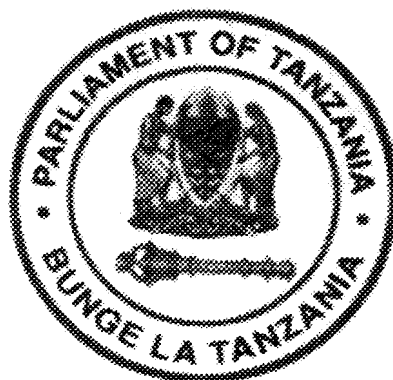
Third Reading - The mover of the bill will read the title of the Bill to the House indicating the final stage of the Bill before it is sent to the House of Lords.

It is in the House of Lords that the Bills will undergo further scrutiny. Either they may be returned to the House of Commons for re-working or with or without amendments and may be approved and sent to the crown for assent.

ANNEX G

UNITED REPUBLIC OF TANZANIA

PARLIAMENT OF TANZANIA



**PARLIAMENTARY STANDING COMMITTEE ON COMMUNITY
DEVELOPMENT**

RESOURCE MANUAL

APRIL 2005

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ACRONYM

CCM	Chama Cha Mapinduzi
CUF	Civic United Front
CHADEMA	Chama cha Demokrasia na Maendeleo
ESRF	Economic and Social Research Foundation
FAT	Football Association of Tanzania
MDAs	Ministries, Department and Agencies
MP	Member of the Parliament
MTEF	Medium Term Expenditure Review
NGO	Non-Governmental Organization
NPES	National Poverty Eradication Strategy
PRSP	Poverty Reduction Strategy Paper
REPOA	Research on Poverty Alleviation

SUNY **State University of New York**

TZ **Tanzania**

TAS **Tanzania Assistance Strategy**

UDSM **University of Dar es Salaam**

TFA **Tanzania Football Association**

Foreword

I am pleased, as the Speaker of the Parliament of Tanzania, to present this [name of the Committee] Resource Manual. This is a guide for Members of Parliament and their work in the Committees. It is about creating conditions that will enable MPs to perform their tasks more effectively. It is about focusing on the MPs individual performance. Individual Members, appropriately equipped and supported, can make Committees a forum where the effective representation of the public interest can occur. It is within the Committees where the individual MPs can weave the three elements of a MPs function together: as a legislator reviewing and modifying and amending legislation. As an overseer reviewing government policies, programs and expenditures and as a representative hearing the various voices of the citizens, representing constituent concerns and reflecting the public interest in the deliberations of the Committee. Committees are essential to the work of the Parliament. Without Committees, legislative proceedings would be completely overloaded from the sheer volume of activities that would have to be considered in the Plenary. Committees allow the legislature to organize its work in order to perform a number of tasks at the same time.

It is my hope that the development of a Resource Manual for each of the Committees will provide very useful information and background briefing for the Honourable Members of Parliament which in turn will assist them in their

Committee deliberations by identifying key contacts within the Ministries, Departments or Agencies and Civil Society. The Manuals will identify key overarching policies and most importantly, sources of information to aid the Committee in its consideration of draft legislation or new public policies. The Parliament of Tanzania acknowledges the support provided by USAID and DFID in strengthening the Parliament of Tanzania through its implementing agent the State University of New York/ Centre for International Development. I therefore commend this Manual to you all.

HONOURABLE PIUS MSEKWA

SPEAKER TO THE PARLIAMENT OF TANZANIA

PREAMBLE

This document is known as Resource Manual which is deliberately prepared to give both general and specific information about the Parliamentary Standing Committee on Community Development.

It is intentionally prepared to give information to the Members of Parliament so that MPs can familiarize themselves at the outset with the activities of the particular Committee one is attached to.

This manual gives information about the Committee structure, duties, institutional portfolio, operations, issues and agenda, record of Bills scrutinized achievements and challenges of the Committee.

The Parliament is one of the key pillars of the government; the other two are the Executive and the Judiciary. According to the Constitution of the United Republic of Tanzania, the Parliament of the Republic consists of two parts namely the President and the National Assembly. The second part of the Parliament [National Assembly] is the principal organ of the United Republic which has the authority on behalf of the people to oversee and advise the Government of the United Republic and all its organs in the discharge of their respective responsibilities. The power of the Parliament is set out in the Constitution of the United Republic of Tanzania 63[3]

COMMUNITY DEVELOPMENT COMMITTEE

INTRODUCTION

The Tanzanian Parliament like other Parliaments of the Commonwealth sees the Committee system as the driving engine within a Parliament. The Parliamentary Standing Committees established pursuant to Article 96[1] of the Constitution states that, "The National Assembly may establish various Standing Committees as it may deem necessary for better discharge of its functions". In this regard, Parliamentary Standing Committees are able to assist the Parliament to exercise its key scrutiny and oversight role.

The Community Development Committee is one of the 10 portfolios Committees and exercises direct oversight over the Government Ministries/Departments associated with Community Development issues.

CHAPTER ONE

STRUCTURE AND COMPOSITION OF THE COMMITTEE

Community Development Committee is composed of Members appointed by the Speaker. The membership is based on the Members experience and professional training relative to the matters which are within the ambit of Community Development. This selection is also subject to MPs preferences. According to the Standing Orders (2004 edition), the Members of this Committee should not be less than 12 and should not exceed 30. The Committee has a Chairperson and Deputy Chairperson elected from among the Members of the Committee. The Committee is serviced on a daily basis by a Committee Clerk who is an employee of the Parliamentary Service.

DUTIES OF THE COMMUNITY DEVELOPMENT COMMITTEE

Community Development Committee scrutinizes the Performance of two Ministries namely:

- Ministry of Community Development, Gender and Children, and
- Ministry of Labour, Youth Development and Sports

The responsibilities of the Committee include:

- To make a follow-up on the implementation of the policies of the above Ministries and Institutions under the preview of the Committee,
- To make a follow up on matters related to the administration of special social services to women, children, elderly, disabled, youth and other groups in order to enhance their development, and
- To consider any other matter this shall be referred to it by the Speaker.

FUNCTIONS OF THE COMMUNITY DEVELOPMENT COMMITTEE

According to the Standing Order [2004 Edition], the Committee is required to perform the following major functions:

- [i] To scrutinize the Budgets proposed by the two Ministries as well as to consider International Treaties and Protocols ratified by the Government which impact on the Ministries under the Committee's responsibility,
- [ii] To scrutinize audited financial reports/statements of Institutions/Parastatals within the Ministries under the Committees responsibility, and
- [iii] Provision of general oversight and monitoring the performance of its Ministries in accordance with the Article 63[3] (b) of the Constitution of United Republic of Tanzania.

POWERS OF THE COMMUNITY DEVELOPMENT COMMITTEE

The powers of Departmental Committees flows from the authority of Parliament as stated in the Constitution of the United Republic of Tanzania Article 63[3] and stipulated specifically in the Standing Committees of the National Assembly Act No.12 of 1995 Article 16.

> Legislative powers

-Scrutinize Bills and protocols proposed by the Government through the Ministries under the domain of the Committee-Community Development Gender and Children as well as Labour, Youth, Development and Sports,

> Financial oversight

-Scrutinize the Budget proposals of those Ministries, and

-Scrutinize the audited financial reports of Institutions or Parastatals which are within the Committee's ambit.

> General oversight

-to scrutinize the performance of the respective Ministries, Institutions and Parastatals. The Committee has the power to question Ministers and officials in discharging its oversight functions.

COMMITTEE MANDATE AREAS

The Community Development Parliamentary Committee has a responsibility to ensure the welfare of the community including the vulnerable and special interest groups such as women, children, elderly, disabled and the youth. Since development is complex and multidimensional, the Committee deals with issues that are cross-

cutting including education, health, economy, technology and gender. Specific thematic areas of responsibility include:

- Building gender sensitive communities with the capacity to identify problems and potential solutions to improve the quality of life both socially and economically,
- Capacity building for both men and women to enable them to effectively participate in the socio economic development processes,
- Promotion and maintenance of industrial harmony, health. and safety working and striving towards, effective welfare conditions for the people and development, and
- Development of sports at both National and International levels.

CHAPTER TWO

COMMITTEE INSTITUTIONAL PORTFOLIO

As stated earlier, Community Development Committee oversees two Ministries. The Ministry of Community Development Gender and Children; and the Ministry of Labour, Youth Development and Sports. The Sector Ministries which the Committee needs to interact with are as indicated in the tables below:

1. MINISTRY OF COMMUNITY DEVELOPMENT, GENDER AND CHILDREN	
VISION	MISSION
The vision of the Ministry is to have gender sensitive communities with the capacity to identify problems and potentials to improve the quality of life socially and economically.	The Mission of the Ministry is to facilitate the formulation, implementation and monitoring of community gender focused policies, to create an enabling environment to empower both men and women to build their capacities for effective participation in the socio-economic development process.

FUNCTIONS OF THE MINISTRY:

- To set policy for women and children development,
- To fight against child abuse as well as child Labor,
- To fight for equal opportunities of men and women in social/political form,
- To train and educate women on socio - economic issues, and
- To bring awareness of the effects of women discrimination.

DIVISIONS/UNITS/DEPARTMENTS AND THEIR FUNCTION

1. ADMINISTRATION AND PERSONNEL

- To identify human resources needs
- To prepare staff development programmes short and long term in relation to work improvement
- To ensure employee's benefits including remuneration , promotion ,and pension are adequately provided
- To ensure that personnel laws, staff circulars, standing orders and other labor regulation are adhered.
- To supervise implementation of public service Reform Programme

2. ACCOUNTING UNIT

- Deals with all financial transaction in the ministry

3. POLICY AND PLANNING UNIT

- Preparing annual development plan and budget of the ministry
- Analysis of the policies of the ministry and advise accordingly
- Evaluation of the implementation of ministry policies and other sectoral

policies in related to community development

- Research on various issues on community development in general, women and children
- Coordination of ministry activities

4. COMMUNITY DEVELOPMENT UNIT/DEPARTMENT

- To mainstream the notion of community development in practice by involving citizen in self reliance project for their own development
- To supervise and coordinate the implementation of community development policy
- To supervise provision of community development professional training in various training institutions like community development training institutions and rural development centers
- To scrutinize and spread the notion of Health Sanitation and Water (HESAWA)
- Coordinating the implementation of community strategy to prevent women and children against AIDS

2. MINISTRY OF LABOUR YOUTH DEVELOPMENT AND SPORTS:

VISION	MISSION
To have industrial harmony, health and safe working environment; effective social welfare conditions for the people ; enabling environments for human labor development and ; to have will brought up and responsible youth in society	The mission of the ministry is to promote labor standards, employment, social welfare and youth development as well as sports development

FUNCTIONS OF THE MINISTRY

- **Coordinate Labor Policy , National Employment Policy, Trade Unions, Human Resources development programmes , International Labor Organizations, Coordination and facilitation of Informal sector, Youth development, employment and youth self- reliance projects, Vocational Training, Youth Organization, Social Welfare Policy ,Probation and Repatriation of Destitute, Policy on Games and Sports**
- **Development of Human Resources under this Ministry**
- **Extra ministerial Departments, Parastatal organization under this ministry**
- **Ensure development of all sports at national and international levels.**

MINISTRY'S DIVISION/UNITS/DEPARTMENTS AND THEIR FUNCTIONS

i. Labor department

- To coordinate and oversee the implementation of labor law and policy and update them
- Registration of Labor Union and advise them accordingly
- Dissemination of collective bargaining education
- Fight against HIV/AIDS pandemic in working areas

ii. Employment Department

- To supervise and coordinate implementation of National Employment Policy
- To fight against worst forms of child labor
- Opening employment opportunities
- To promote informal sector and effective regulation of affordable credit, training and good working environment
-

iii. Department of Social Welfare

- To provide welfare services to disabled, elderly and orphans
- To provide rehabilitation services to children, youth, and adult proved guilty before the law
- Provision of work skills to disabled for them to be employed or to employ themselves
- To fund education for orphans and those in destitute camps and in society where necessary

iv. Department of Youth Development

- To sensitize and coordinate youth economic activities including counseling and training

- Planning ,coordinating and implementing programmes on youth education in cooperation with NGOs about Reproductive Health ,HIV/AIDS, drug abuse and family education

v. Sports Department

- To ensure equal participation in sports regardless of gender and other differences
- Improvement of sports infrastructures

vi. Planning and Policy Department

- Coordination of the preparations and implementation of various policies of the ministry
- Coordination of budget and budget speech of the ministry
- Coordination of preparation and implementation of ministry programmes
- To coordinate preparation of various ministry reports

vii. Accounting Department

- Deals with all financial transactions , management and reporting

Department of Administration

- To supervise and coordinate personnel development
- To prepare short and long term Human Resources Training
- To oversee institution under the ministry

INSTITUTIONS /PARASTATALS UNDER THE COMMITTEE

The Community Development Committee oversees the performance of the following Institutions;

- ❖ National Social Security Fund (NSSF)

- ❖ National Institute of Productivity (NIP)
- ❖ Industrial Court of Tanzania (ICT)
- ❖ National Sports Council (NSC)
- ❖ Institute of Social Welfare
- ❖ Community Development Training Institutions & Rural Development centers
- ❖ Vocational Education and Training Agency (VETA)

COMMITTEE KEY DOCUMENTS

The following are considered to be key to the operations of the committee:

- ❖ National Strategic Plans such as PRSP, VISION 2025, NPES, MTEF etc.
- ❖ Economic and Social Surveys like; Poverty and Human Development Reports; Demographic and Health Surveys; Census; Household Budget Surveys among others,
- ❖ National Sectoral policies that greatly influence sectors dealt by the committee such as National Policy on children ;Women Development and Gender Policy; National Elderly policy, Employment Policy; Youth development Policy; National Sports Policy and National Social Security, National HIV/AIDS Policy and other policies.

CONTEXT SETTING FOR THE COMMITTEE

Community Development Committee operates to ensure the betterment of the community environment and the citizens who are currently faced with a number of problems.

About half of Tanzanians live in abject poverty, (51% below the UN poverty line) technologically poor, the majority are depending on unsafe water, high infant and child mortality rates 165/1000 and 123/1000 respectively; relatively high

maternal mortality (200-400 per 10,000) rampant child labor, increased reliance on orphanages due to the HIV/AIDS pandemic increasing the numbers of street children, high unemployment rates. It is in the light of improving this situation that the Community Development Committee operates.

CHAPTER THREE

COMMITTEE ACTIVITIES OVER THE PAST FOUR YEARS (2000-2005)

Community Development has performed various activities in the past four years.

Committee Members

The Community Development Committee is composed of the following Members as appointed by the Speaker pursuant to the Standing Orders while 87 (2). The table below shows the composition of the Community Development Committee (2000-2005).

Table 1. Membership of the Community Development Committee:

Name	Status	Title	Constituency/ Region	Political Party	Contact
Hon. Sophia M. Simba	Special Seats	Chairperson	Dar es Salaam	CCM	0741 603338 PO Box 25004 DAR
Hon. Haroub S. Masoud	Elected	Deputy Chairperson	Mkoani	CCM	024-2240320 PO Box 1509 Zanzibar
Hon. Janet E. Mashelle	Special Seats	Member	Dar es Salaam	TLP	022-2850525 PO Box 1130 Dar es Salaam
Hon Yahya Kassim Issa	Elected	Member	CHWAKA	CCM	0747-410974 PO Box 664 Zanzibar
Hon. Kijakazi K. Ali	Special Seats	Member	Zanzibar	CCM	024-2240455 PO Box 22 Chake Chake PEMBA
Hon. Ponsiano D. Nyomi	Elected	Member	Nkasi	CCM	0744-295577 PO Box 24 Namanyere-Nkasi RUKWA
Hon. Jina K Juma	Special Seats	Member	Zanzibar	CCM	024-2230782 PO Box 362 Zanzibar

Name	Status	Title	Constituency/ Region	Political party	Contact
Hon. Bakari M. Mbonde	Elected	Member	Rufiji	CCM	0744261631/02324 02519 PO Box 15 RUFJI
Hon.Mwanaidi H. Makame	Appointed	Member	Dar Es Salaam	CCM	0747411889 PO Box 9120 Dar es Salaam
Hon.Yussuf K Juma	Elected	Member	Kwamtipura	CCM	0741- 426606/02422335 60 PO Box 4741 Zanzibar
Hon.Zuhura S Abdallah	Elected	Member	Kiwani	CCM	0242452136 P.O. Box 265 Chake Chake PEMBA
Hon.Ramadhani N. Pandu	Elected	Member	Representative s Council	CCM	PO Box 362 Zanzibar
Hon. Teddy L. Kasella-Bantu	Speacial Seat	Member	Tabora	UDP	0741-337770 PO Box 410 Nzega Tabora
Hon.Omar M. Mwenda	Elected	Member	Southern Kilwa	CCM	PO Box 160 Kilwa Masoko

Name	Status	Title	Constituency/Region	Political Party	Contact
Hon. Kisyeri Chambili	Elected	Member	Tarime	CCM	PO Box 95 Tarime
Hon.Cynthia Hilda Ngoye	Special Seats	Member	Kilimanjaro	CCM	027-2752189 PO Box 3070 Moshi
Hon.Mchande S. Mchande	Elected	Member	Konde, Pemba	CUF	PO Box 380 Wete, Pemba 0748-512992
Hon.Khalifa M. Issa	Elected	Member	Mtambwe, Zanzibar	CUF	PO Box 188, Zanzibar 0748-481931
Angelina Sanga	Officer	Committee Clerk	----	----	0744- 547092

REPORT PRODUCES

The Committee produces several reports:-

- **Annual Reports - This is a comprehensive Report of what the Committee undertook in the preceding year,**
- **Reports about the implementation of Committee recommendations and budget proposals from the Ministries under the purview of the Committee, and**
- **Reports on the activities of the Committee, meetings, seminars, site visits amongst others.**

STUDY TOUR/SITE VISITS

- **In the last four years the Committee did not make any of foreign missions or trips which involved the whole Committee although some Members were appointed in their individual to participate in various conferences/workshops/study tours outside the country,**
- **Internally several sites visits were undertaken by the Committee in the course of fulfilling its general oversight functions. The visits/tours to a particular Institution under the Committee or in an implementation of various programmes and policies related to the sectoral issues addressed by the committee. The following table present study tours/site visits.**

Table 2: Committee study tours/site visits

YEAR	STUDY TOUR/SITE VISIT
2001	<ul style="list-style-type: none">▪ Young women Christian Centre - Buguruni▪ Muhimbili Hospital
2002	<ul style="list-style-type: none">▪ Arusha Region 18/12/2002, Arumeru, Arusha, Urban Simanjiro and Monduli. In Arusha Urban, Uhai Centre for Aids Prevention and Training, Uzima Centre, AFNET and AIDS Information Centre were visited.▪ In Arumeru, Dakika Tatu Group, Disabled College (Usa River), Arumeru District Hospital among others were visited. The same was done in Simanjiro and Monduli.▪ Kagera Region - Report on policy implementation was presented by the Regional Commissioner to the Committee, various groups and institutions and centres were visited in all district of the region namely, Bukoba Urban, Bukoba Rural, Muleba, Beharamulo, Ngara and Karagwe.
2003	<ul style="list-style-type: none">▪ Mtwara, Coastal, Dar es Salaam and Arusha Regions were visited; Institutions assessed include Community Development Training Institute, VETA and Women Development Groups.

BILL RECORD OF THE COMMITTEE 2002 - 2004

In the past four years the Committee scrutinized several Bills that were within the Committee's mandate which were introduced into the Parliament. These took place in 2004 and were assented by the President and have become Laws. The table below summarizes these achievements;

Table 3 ; Bill Records of the Committee 2000-2004

YEAR	BILL SCRUTINIZED	OUTCOME
2001	No bill submitted/scrutinized	-
2002	No bill submitted/scrutinized	-
2003	No bill submitted/scrutinized	-
2004	▪ The Labour Institutions Bill 2004	Assented
	▪ The Labour Law Bill 2004	Assented

SESSIONAL PAPERS

Over the past four years the Committee did not have any International Treaties or Conventions submitted for ratification save for one protocol on Children Rights.

CHAPTER FOUR

COMMITTEE ACHIEVEMENTS AND CHALLENGES

In the past four years the Committee achieved much with regard to its responsibilities. But clearly challenges were inevitable.

Achievements

- Many of the Committee recommendations were implemented by the Government,
- Transformation of the then FAT into the current TFA with a New Constitution,
- Assent of the Bills scrutinized by the Committee with regard to Labor Laws and Labor Institutions which are now enshrined in Law,
- Involvement of stakeholders in discussion of the two bills through Public Hearings.

Challenges

- Some recommendations from the Committee were not properly implemented,
- Financial constraints inhibited some operations of the Committee like an inability to attend the conference on Gender and Development in Ghana (2001).

- Increased pressure to deal with the rising number of the cases of orphans due to HIV//AIDS, increased poverty and the existing gender imbalances,
- That the Committee and therefore the MDAS scrutinized by the Committee have a significant pressure on their resources since the majority of vulnerable groups fall into the Committee's portfolio.

SOURCES OF INFORMATION AVAILABLE TO THE COMMITTEE

The Committee relies on the provision and access to adequate data or information on a variety of topics related to community development. These include:

A. OVERREACHING NATIONAL POLICIES:

- Child Development Policy
- Community Development Policy
- National Youth Development Policy
- Policy on Women and Development in Tanzania
- Sports Development Policy
- National Youth Development Policy
- National Employment Policy
- Cultural Policy

Other Policy documents:

- PRSP
- Vision 2025
- National Poverty Eradication Strategy (NPES)
- Tanzania Assistance Strategy (TAS)
- The Agricultural Sector Development Strategy
- The Medium Term Expenditure Framework (MTEF)
- Sector-specific policies
- Poverty and Human Development Reports
- Demographic and Health Survey
- Integrated Labor Force Survey
- Household Budget Survey

- Constitution of Republic of Tanzania
- Literatures which critically analyze the situation of Tanzanian society: "Why is Tanzania still poor 40 years after independence?" (Edited by Yahya Othman et al, 2004)

B. NATIONAL WEBSITES

<http://www.tanzania.go.tz/government/>
<http://www.tanzania.go.tz/genderf.html>
<http://www.mcdgc.go.tz/>
<http://www.parliament.go.tz/bunge/bunge.asp>
<http://www.statehouse.go.tz/>

Links to National Policies

<http://www.tzonline.org/policies.htm>
<http://www.hakikazi.org/policies.htm>

www.tzonline.org
<http://www.ourtanzania.com/>
<http://www.tzonline.org/policies.htm>

Ministry of Community Development, Gender and Children

http://www.afrol.com/Categories/Women/profiles/tanzania_women.htm
<http://www.gender.org/>
http://europa.eu.int/comm/employment_social/equ_opp/index_en.htm
<http://www.sardc.net/Widsoc/gender%20policies/chapter%2011/>
<http://www1.umn.edu/humanrts/instree/e5dplw.htm>
<http://www.savethechildren.org/>
<http://www.unicef.org/>
<http://www.futureofchildren.org/>

Ministry of Labor, Youth Development and Sports

<http://www.tanzania.go.tz/government/>
<http://www.ilo.org/>
<http://www.ilo.org/public/english/standards/ipecc/simpoc/tanzania/report/rep2001.pdf>
<http://www.ilo.org/public/english/standards/index.htm>

<http://www.tanzania-online.gov.uk/gov/labour+Youth.htm>

<http://books.lulu.com/content/87805>

<http://www.fifa.com/default.html>

<http://www.supersport.co.za/>

other reference web links

Links to Millennium Development Goals (MDGs)

<http://www.un.org/millenniumgoals/>

<http://www.developmentgoals.org/>

<http://www.undp.org/gender/docs/mdgs-genderlens.pdf>

<http://topics.developmentgateway.org/mdg>

http://www.choike.org/documentos/mdg_bissio.pdf

Links to Globalization

<http://globalization.about.com/>

<http://www.globalization.com/>

<http://www.ifg.org/>

<http://www.imf.org/external/np/exr/ib/2000/041200.htm>

<http://www.globalpolicy.org/>

Links to Poverty Eradication

<http://www.imf.org/external/np/prsp/prsp.asp>

<http://www.un.org/millenniumgoals/>

<http://www.povertymonitoring.go.tz/>

<http://www.repoa.or.tz/>

<http://www.esrf.or.tz/>

<http://www.imf.org/external/np/prsp/prsp.asp>

<http://hdr.undp.org/reports/global/2003/>

<http://www.tzonline.org/pdf/Tanzaniahumandevlopmentreport.pdf>

http://www.unsign.or.jp/participants_work/cos03_homepages/group8/tanzania.htm

<http://earthtrends.wri.org/povlinks/country/tanzania.cfm>

http://www.usaid.gov/stories/tanzania/fp_tanzania_ruralpoverty.html

http://www.wider.unu.edu/conference/conference-2001-2/parallel%20papers/3_2_Danielson.pdf

C.LOCAL CSOs

1. Tanzania Gender Network Program (TGNP)

Brief description of activities

For effective and systematic realization of its activities, the organization has, over the last ten years, blocked its work into four programmes areas namely:

- **Activism, Lobbying and Advocacy (ALA)**
- **Training, Capacity Building and Outreach (TCBO)**
- **Information Generation and Dissemination (IGD)**
- **Programme Support Management (PSM)**

Contacts

P.O Box 8921, Dar es Salaam, Tanzania

Phone: 255 22 244 3205

Fax: 255 22 244 3244

E-mail: info@tgnp.org

Website: www.tgnp.org

Coverage: nationwide

2. Network Against Female Genital Mutilation (NAFGEM)

Brief description of activities

- Educate communities on tradition mutilation practices of women and children
- Advocate for the rights of women and youth
- Lobby to tribal, civil and religious leaders

Contacts

P.O Box 6413

Moshi, Tanzania

Phone: 027 275 5652

Fax: 027 275 5652

Mobile: 0748 342 174

E-mail: nafgem@kichelio.com

Coverage: Kilimanjaro Region

3. Tanzania Women Lawyers Association (TAWLA)

Brief description of activities

- Conducts legal aid clinics and provides counseling to women in need of legal assistance and representation in court.
- It educates women and children about their human rights and networks with other organizations with similar objectives.

Contacts

P.O Box 9460, Dar es salaam, Tanzania

Phone: 255 51 110 758, 114 148

Fax: 255 51 118 974

Email Address: tawla@ud.co.tz; lawcare.advocates@twiga.com

Web link: <http://www.hri.ca/organizations/viewOrg.asp?ID=118>

4. Kiota Women Health and Development Organization (KIWOHEDE)

Brief description of activities

- Promotion of children, youth and women rights
- Promotion of destitute orphan, children in hazardous domestic work, prostitution and rescue of trafficked children

Contacts

P.O Box 10127, Dar es Salaam, Tanzania

Phone: 255 22 2861111

Mobile: 255 744 694 107

E-mail: katri@africaonline.co.tz

5. KULEANA

Brief description of activities

- It promotes and advocates children's rights in Tanzania based primarily on the UN Convention on the Rights of the Child (CRC) and the African Charter on the Rights of the Child
- It seeks to address the serious problems facing at risk children

Contacts

P.O Box 27, Mwanza, Tanzania
Phone: 255 68 500 911
Fax: 255 68 500 486
E-mail: admin@kuleanatz.org
Website: www.kuleanatz.org

6. Equal Opportunity Trust Fund (EOTF)

Brief description of activities

- To initiate, design, promote, facilitate and support the empowerment of the disadvantaged segments of Tanzania society through increased social, economical and educational opportunities with a view to enabling them attain better quality of life beyond the Year 2000.

Contacts

P.O Box 78262, Dar es Salaam, Tanzania
Phone: 255 22 2114512
Fax: 255 22 211 4793
E-mail: eotf@raha.com
Website: www.eotf.or.tz
Coverage: countrywide

7. Youth Partnership Countrywide

Brief description of activities

- Build capacity of youth in civil, social and economic life
- Engage youths in training, networking, dialogue, exposure and voluntary works.

Contacts

P.O Box 30023, Kibaha, Coast Region

Mobile phone: 0744 772 212

E-mail: ypcyouth@yahoo.com

8. Tanzania Disabled Persons Movement (TDPM)

Brief description of activities

- Assist disabled persons in their struggle for equal opportunity and rights

Contacts

P.O Box 90047, Dar es Salaam, Tanzania

Mobile: 0748 779 974

E-mail: tanzania_disabled@yahoo.com

Coverage: Coast Region

9. National NGOs Working on Children's Rights (NNOG)

Brief description of activities

- Advocate and lobby for children's rights
- Collaborate with the 40 NGOs in network dedicated to welfare of the children

Contacts

P.O Box 80232, Dar es Salaam

Phone: 022 285 0447

Fax: 022 285 0447

Mobile: 0741 212 178

E-mail: admin@nnoctz.org

Coverage: Dar es Salaam/Nationwide

10. Disabled Organization for Legal Affairs and Social Economic Development(DOLASED)

Brief description of activities

- Advocate for policy and legal change for the welfare of the Disabled in Tanzania.

Contacts

P.O Box 62963, Dar es Salaam, Tanzania

Phone: 022 266 8936

Fax: 022 266 8936

Mobile: 0741 244 399

E-mail: gmandesi@hotmail.com

International NGOs

1. United Nations Children's Fund (UNICEF)

Brief description of activities

- Building a protective environment for children
- Quality basic education for all especially girls
- Reaching every child with life-saving vaccines
- Prevention of parent-to-child transmission and provides care and support for orphaned children

Contacts

Country offices

P.O Box 4076, Dar es Salaam, Tanzania

Phone: 255 22 2150 811

Fax: 2151 603

E-mail: daressalaam@unicef.org

Website: www.unicef.org

Coverage: worldwide

2. International Labour Organization (ILO)

Brief description of activities

- Formulation of international Labour standards in the form of conventions and recommendations setting minimum standards of basic Labour rights
- Provides technical assistance in the areas of vocational training, working conditions, employment policy, etc.

Contacts

Tanzania Area office

Phone: 255 22 212 6821

Fax: 255 22 212 6627

E-mail: daressalaam@ilo.org

Website: www.ilo.org

Dar es Salaam

Coverage: worldwide

3. Plan International

Brief description of activities

- Plan works in partnership with children, families and communities, to develop sustainable ways to end the cycle of poverty
- Plan International works in five broad areas namely education, health, habitat, livelihood and building relationship.

Contacts

Country offices

P.O Box 3517, Dar es Salaam

Phone: 255 22 2152 924

Fax: 255 22 215 2926

Website: www.plan-international.org

Coverage: worldwide

4. WORLD VISION

Brief description of activities

- World Vision is an international Christian relief and development organization working to promote the well-being of all people- especially children.

Contacts

Country offices

P.O Box 6070 Arusha, Tanzania

Phone: 255 27 250 8850

Fax: 25 27 250 8248

Website: www.wvi.org

Coverage: worldwide

5. African Youth Alliance (AYA)

Brief description of activities

- Reduces the rate of HIV/AIDS, other STIs and pregnancy among young people
- Promote the delay of sexual debut among already sexually active youth, promote the use of condoms and other contraceptives
- Eliminate harmful traditional practices
- Eliminate the incidence of forced or coerced sex.

Contacts

Country offices

C/o Pathfinder International (Tanzania)

Pathfinder International
United Nations Road, Plot 356 Upanga
P.O Box 77991, Dar es salaam, TANZANIA
Phone: 255 22 211 7088

Fax: 255 22 211 8283

Coverage: worldwide



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April 2005

ANNEX H

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PREFACE

In the last decade, Tanzania has developed a number of strategies and policy initiatives to guide the development agenda and poverty reduction efforts. These have been articulated in policy and strategy documents such as Tanzania Development Vision 2025, National Poverty Eradication Strategy (NPES), Tanzania Assistance Strategy (TAS), and the Poverty Reduction Strategy (PRS). The PRS was prepared and implemented over the period 2000/01 – 2002/03 in the context of enhanced Highly Indebted Poor Countries (HIPC) initiative.

For the purpose of achieving the PRS specific targets resource allocations were focused on strategic priority sectors of education, health, water, roads, agriculture, judiciary, and HIV and AIDs. At later stage of implementation of PRS, the energy sector, lands sector, police force investigation and prosecution wings and prisons were added on to the list. Increased resource allocation to these sectors had some impact on poverty reduction as evidenced by improvement in the delivery of social services and infrastructure particularly primary education and road network, however the current level of delivery of services require further improvements in quantity and quality. Macro economic stability achieved during the period also created a conducive environment for the implementation of PRS I

In order to attain optimal impact on growth and poverty reduction, a five-year national framework, the National Strategy for Growth and Reduction of Poverty (NSGRP) with a focus on poverty reduction being a top agenda in socio- economic development, has been developed. The NSGRP will enhance operationalisation of the aspirations of Development Vision 2025 mainstream with MTP; scale up inter-sector collaboration towards economic growth, and adhere to commitments

to regional and international initiatives on social and economic development. The NSGRP adopts the "outcomes approach" which builds on the contribution of all sectors towards growth and poverty reduction involving cross sector collaboration and inter-sector linkages and synergies. This will call for local and foreign resources allocation to all sectors based on poverty reduction outcomes and interventions.

The NSGRP has shifted away from the PRS priority sectors to three major clusters of outcomes namely; growth and reduction of income poverty, improved quality of life and social well-being and good governance and accountability. Thus, resource allocation will focus on reduction of poverty based on the interventions in three major clusters by each Ministry, Department, Regional Administration and Local Government Authorities and other Government activities. The newly developed Strategic Budget Allocation System (SBAS), will be applied to indicate the poverty cluster interventions (targets) and the respective actors (sectors) who will be required to collaborate during the implementation of their activities.

A major challenge this year was developing a resource allocation framework that lays the foundation for implementation of the new NSGRP, knowing that the strategy itself was still being under promulgation. Cognisant of the stakeholders' views on the importance of establishing a clear link of the budget to growth and poverty reduction initiatives, these Guidelines seek to establish that link in a more explicit way. A budget based on these guidelines will, indeed, be a budget for implementing the NSGRP.

CHAPTER ONE

A REVIEW OF MACROECONOMIC PERFORMANCE AND OUTLOOK

Macroeconomic Performance

1. Sound macroeconomic and structural policies have yielded substantial economic growth and low inflation, laying the requisite conducive ground in the reduction of income poverty. Economic growth has been rising consistently over the past five years (except for the drought-hit 2003), averaging about 5.5 percent annually, with inflation contained at below 5.0 percent¹ for a fairly long time. Increased growth, particularly in taxable sectors (trade, manufacturing, mining, transport) has substantially expanded the tax-base, resulting into higher Government tax revenues. The increased Government revenues have facilitated higher public expenditures to enhance provision of social and economic services (education, health, roads, water supply, etc.). In effect, higher growth has had notable impact in the reduction of poverty, through enhanced infrastructure and social services delivery to an increasing proportion of the population.

Economic Growth

2. Following a slight decline in overall real GDP growth to 5.6 percent during 2003, from 6.2 percent in 2002, the economy is poised to register higher growth for 2004, currently projected at 6.3 percent. Preliminary data from the semi-annual and third quarter review, strongly indicate potential higher growth for agriculture, manufacturing and trade (including tourism), which given their substantial size in the economy, have an immense influence on the outturn of the overall GDP. Following the severe drought that adversely affected the economy during 2002/03, the weather

¹ *Old CPI series*

conditions have improved, promising substantial improvements in the performance of agriculture. Manufacturing, including manufacturing for export and in SMEs is picking up, and generally trade (including tourism) is on the increase as well, consistent with improvements in the global economy. Projections for the medium-term indicate a gradual increase in overall real GDP to 7.5 percent by 2008. Accordingly, projections for nominal GDP² are based on such growth rates and the targeted inflation for the period. Actual and projected GDPs are shown in Tables 1, 2 and 3.

² *GDP at current market prices serves as an important denominator in the development of the Budget Frame.*

Table 1: Actual and Projected Real GDP by Sector

TShs million

	1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Actual	2003 Actual	2004 Proj.	2005 Proj.	2006 Proj.	2007 Proj.	2008 Proj.
Agriculture	739942	770509	796513	840275	882106	917395	964596	1016401	1076958	1140997	1212343
Mining	30700	33488	38144	43293	49787	58251	66453	73936	80591	86933	93529.86
Manufacturing	126887	131491	137809	144647	156219	169653	184900	202917	224296	248827	276632.4
Electricity and Water	25870	26874	28454	29297	30200	31669	32902	34444	35958	37501	39194.06
Construction	65187	70866	76818	83494	92679	102872	114676	125245	136117	148817	161511
Trade, Hotels and Restaurants	239830	254114	270567	288718	308928	329009	353287	383227	419302	461146	509436.6
Transport and Communications	79755	84403	89515	95154	101244	106419	111929	118062	124978	132433	140673.3
Financial & Business Services	158089	164568	172291	177911	186485	194711	204125	214468	226348	239287	253586.6
Public administration	118114	122207	126557	130987	136307	141880	148974	156423	164244	172456	181078.8
Imputed bank services	-78548	-81229	-82359	-84418	-86781	-89819	-95509	-101781	-108945	-116808	-125545
GDPfc	1505826	1577291	1654319	1749358	1857174	1962040	2086333	2223342	2379846	2551589	2742451
GDPfc (fiscal year)	1997/98	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
	1476858	1541559	1615805	1701839	1803266	1909607	2024186	2154837	2301594	2465717	2647020

Table 2: Real GDP growth rates

	1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Actual	2003 Actual	2004 Proj.	2005 Proj.	2006 Proj.	2007 Proj.	2008 Proj.
Agriculture	1.9 %	4.1 %	3.4 %	5.5 %	5.0 %	4.0 %	5.1 %	5.4 %	5.0 %	5.9 %	6.3 %
Mining	27.4 %	9.1 %	13.9 %	13.5 %	15.0 %	17.0 %	14.1 %	11.3 %	9.0 %	7.9 %	7.6 %
Manufacturing	8.0 %	3.6 %	4.8 %	5.0 %	8.0 %	8.6 %	9.0 %	9.7 %	10.5 %	10.9 %	11.2 %
Electricity and Water	5.5 %	3.9 %	5.9 %	3.0 %	3.1 %	4.9 %	3.9 %	4.7 %	4.4 %	4.3 %	4.5 %
Construction	-12.3 %	8.7 %	8.4 %	8.7 %	11.0 %	11.0 %	11.5 %	9.2 %	8.7 %	9.3 %	8.5 %
Trade, Hotels and Restaurants	4.7 %	6.0 %	6.5 %	6.7 %	7.0 %	6.5 %	7.4 %	8.5 %	9.4 %	10.0 %	10.5 %
Transport and Communications	32.8 %	5.8 %	6.1 %	6.3 %	6.4 %	5.1 %	5.2 %	5.5 %	5.9 %	6.0 %	6.2 %
Financial & Business Services	5.6 %	4.1 %	4.7 %	3.3 %	4.8 %	4.4 %	4.8 %	5.1 %	5.5 %	5.7 %	6.0 %
Public administration	2.7 %	3.5 %	3.6 %	3.5 %	4.1 %	4.1 %	5.0 %	5.0 %	5.0 %	5.0 %	5.0 %
GDPfc	4.0 %	4.7 %	4.9 %	5.7 %	6.2 %	5.6 %	6.3 %	6.6 %	7.0 %	7.2 %	7.5 %
GDPfc (fiscal year)	1997/98	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
	3.7%	4.4%	4.8%	5.3%	6.0%	5.9%	6.0%	6.5%	6.8%	7.1%	7.4%

Table 3: Actual and Projected³ Nominal GDP (GDP by expenditure, market current prices)

GDPmp (calendar year)	1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Actual	2003 Actual	2004 Proj.	2005 Proj.	2006 Proj.	2007 Proj.	2008 Proj.
	5571255	6432911	7286380	8274607	9445483	10692420	11820684	13104883	14583114	16258422	18176916
	18.5%	15.5%	13.0%	13.8%	14.2%	13.2%	10.6%	10.9%	11.3%	11.5%	11.8%
GDPmp (fiscal year)	1997/98	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
	5137357	6002083	6850646	7771494	8690045	10058952	11256552	12482784	13843999	15420768	17217669
	21.3%	16.8%	14.1%	13.4%	14.0%	13.6%	11.8%	10.7%	11.1%	11.4%	11.7%

³ Based on projected real GDP growth rates and target inflation, over the medium-term

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Inflation

3. After notching 6.5 percent in April 2004, the highest level in recent years, the inflation started to decelerate gradually, reaching 6.2 percent by August 2004. The high level of inflation during the period resulted mainly from high food prices occasioned by severe shortages of food supply following poor harvests in the previous year due to drought. The situation was exacerbated by an increase in the average prices of fuel. Following a substantial improvement in the post-harvest supply in the current year, inflation continues to decline. The National Bureau of Statistics (NBS) has revised Basket of Goods and Services as well as Weights for the National Consumer Price Index (NCPI) based on the results of 2000/01 Household Budget Survey (HBS). Thus, starting with the September 2004, NCPI, the NBS is producing NCPI using the new Basket and new Weights so as to reflect the latest consumption pattern as obtained from analysis of the HBS. A substantially notable change, is the weight of food, which has been reduced from 71.2 percent to 55.9 percent, resulting into lower inflation numbers for the new series (e.g. while the Inflation rate for August 2004 was 6.2 percent in the old series, it is 4.1 percent in the new series). The target inflation for the MTEF period is set at 4.0 percent.

Government Finance

4. During 2003/04, fiscal policy remained geared towards poverty reduction and growth stimulation. On the revenue side, government tax reform efforts continued to produce positive results. The revenue effort⁴ increased from 12.8 percent in 2002/03 to 13.3 percent of GDP in 2003/04. The strong revenue performance has mainly been attributed to increased revenue collection from petroleum and income taxes. Other taxes also remained buoyant during the fiscal year. Review of the first five months of the fiscal year 2004/05 points towards favourable trend. Total revenue collection for the period July – November, 2004 reached TShs 703,850 million compared to the estimated TShs 684,768 million.

⁴ *Ratio of domestic revenue as % to GDP*

This encouraging performance is mainly on account of higher collections from VAT and income taxes. Actual collections during this period reflect a **23** percent nominal growth over collections in the corresponding period last year. The improvement in tax revenue collection comes partly as a result of ongoing reforms of tax policy and administration, reduction of tax exemptions and improvements in customs services and administration.

5. Priority sectors, as identified in the Poverty Reduction Strategy received their full budgetary allocation in the fiscal year 2003/04. Budget execution continued to be guided by cash management system which has proved to be a crucial tool for budget and economic management. Total recurrent expenditure for the period July – November 2004 reached TShs 805,320 million, which is lower than the planned expenditure of TShs 976,168 million. This underperformance is due to delays in implementation of action plans by MDAS, submission of demand notes by creditors and pension payments which will be effected in January 2005.
6. For the first five months of the fiscal year 2004/05, programme grants and loans including HIPC relief disbursement were TShs 348,056 million, more than estimated by Tsh. 5,781 million for the period. Annual estimates for this source stand at Tsh. 509,140 million. A higher estimate of this source in this period is based on upfront disbursements agreed between the Government and development partners. Project loans and grants disbursement reached TShs 605,056 million that is 80 percent higher than the estimates. This over performance is attributable to large disbursements of project loans and basket loans.

Monetary Developments

7. Monetary policy has continued to focus on maintaining low and stable inflation, to ensure macroeconomic stability in support of the broader macroeconomic objectives of Government, by maintaining an appropriate level of liquidity in the economy, through a combination of open market

and foreign exchange market operations. During the 2004/05 fiscal year, up to September 2004, the annual growth rate of broad money supply (M2) has remained within the target growth path of 20 – 24 percent for the year, reflecting tightened liquidity management by the Bank of Tanzania (BoT). The tempo is expected to be maintained for the rest of the year.

8. Credit to the private sector continued to improve, growing at 34 percent in September 2004, which turns out to be the targeted growth by end-June 2005. The high level of credit to the private sector is attributed to a number of factors including, increased competition in the banking sector, increase in the number of credit-worthy borrowers, and the ongoing efforts by the Government and the private sector in improving the business environment. The tight liquidity management amid increasing demand for credit has slightly pushed up average lending interest rates to 14.8 percent by August 2004, from 14.2 percent in June 2004, while average deposit rates have remained at 4.4 percent during the period. The medium-term objective is to narrow the interest rate spread, while ensuring that deposit rates are positive in real terms.

Exchange Rates

9. With the objective of maintaining price stability, the Bank of Tanzania has exercised a limited intervention policy in the Inter-bank Foreign Exchange Market (IFEM). Thus, the exchange rate continues to float freely. The nominal exchange rate of the Tanzania shilling to the USD appreciated from TShs 1,107.0 at end-June 2004 to TShs 1,060.0 at end-September 2004. This appreciation in the exchange rate was mainly attributed to the impact of BoT sales of foreign currency with the objective of mopping up excess liquidity, at a time when there was an abundant supply of foreign currency in the economy, realized from tourism receipts (being the peak tourism season), export proceeds, and from aid inflows.

External Trade

10. By the end of November 2004, the value of exports of goods increased by 17.7 percent to USAD 1,165.9 million compared to USD 990.6 million during the same period in 2003. The increase was recorded in both traditional and non traditional exports. Traditional exports increased by 40.5 percent, from USD 175.1 million at the end of November 2003 to USD 246 million in November 2004. The positive trend was contributed by exports of cotton (by 53.3 percent). Non-traditional exports increased by 12.8 percent, from USD 815.5 million by November 2003 to USD 919.9 million at the end of November 2004. This increase was largely contributed by exports of minerals (USD 609.7 million).
11. By the end of November 2004, imports of goods reached USD 2,057.9 million an increase of 18.7 percent from 1,733.3 million in November 2003. Consumer goods increased by 34.7 percent from USD 544.6 million in November 2003 to USD 733.67 million recorded in November 2004.
12. During the period under review, foods imports increased by 57 percent to USD 248.2 million from USD 158 million recorded during the previous year. The increase was also contributed by imports of capital goods from USD 746 million

Macroeconomic Assumptions in the Medium Term Outlook

13. The economic outlook and policy targets for the period 2005/06 – 2007/08, is premised on the following main macroeconomic assumptions:
 - Improved macroeconomic fundamentals⁵ and implementation of growth generating strategies, policies and programmes, such as the Agriculture Sector Development Programme (ASDP), Small and Medium Enterprises Policy(SMEs) and NSGRP to sustain the upward trend in GDP growth;

⁵ Including low and stable inflation, appropriate exchange rates, appropriate interest rates etc.

- Overall domestic revenue to GDP ratio which is expected to rise, following recent reforms in tax administration, including the enactment of a new Income Tax Act 2004;
- Foreign inflows, including grants and loans assumed to remain at 2004/05 level, in USD terms and the HIPC Debt relief to stay on course;
- Foreign Direct Investment (FDI) expected to improve further, following improvements in the investment environment; and
- Reserve assets expected to improve further, as exports of goods and services pick up.

14. Achievement of the medium term macroeconomic outlook is based on the following main sectoral assumptions:

- The rate of growth of **agriculture** sector is expected to rise, motivated by abolishment of nuisance taxes in local authorities; removal of duties on imported agricultural inputs and machinery; increased incentives under the Income Tax Act subsidization of fertilizer transportation costs; implementation of ASDP; and provision of export credit guarantees.
- **Mining** sector growth rate is expected to be modest due to completion of major investments in the sector; and sector growth to taper-off as production stabilizes.
- **Manufacturing** sector growth rate is expected to increase gradually, following rehabilitation of divested defunct industries and new investments motivated by conducive trade policies and programmes (EPZ, SEZ, BEST, SME).

- The initial upswing in the growth rate of **water and electricity sector** should taper-off after some time due to completion of major investments in gas power (Songas); expected imports of power from Uganda and Zambia; and completion of on-going rehabilitation of urban water supply systems following divestiture (e.g. City Water) and implementation of the water policy.

- **Construction sector** growth will increase due to increased infrastructure developments through increasing public expenditures on roads and bridges, and commercial and residential buildings (public and private).

- Growth of the sector of **wholesale and retail trade (including tourism)** will consistently increase due to improvements in the global economy; increased tourism; promotion of exports through special trade arrangements (AGOA, EBA, EPZ, ECGS); and improved business environment to be facilitated through the BEST programme.

- **Transport and communications sector** is expected to grow in line with improvements in trade and overall economic performance through improvements in physical infrastructure and telecommunications such as roads and increased demand for telephone services.

- Growth of the sector of **finance, insurance and business services** will rise in line with increased investment levels and other economic activities; as well as increased demand for financial intermediation through increased demand for credit, insurance services and consultancies.

- Growth of **public administration** sector will increase steadily, reflecting increased financing of public service reforms; and

increased expenditures on social services (education and health) through implementation of the NSGRP

Macroeconomic Policy Targets for 2005/06 – 2007/08

15. The overall macroeconomic objective remains the promotion of growth and reduction of poverty. While public resource allocation for implementing the NSGRP will now be determined by Government priority actions focusing on interventions whose outcomes will generate economic growth and/or reduce poverty, in its various forms. Mindful of the gains and challenges encountered in implementing PRS and NSGRP expectations, macroeconomic policy targets for the period 2005/06 – 2007/08 are set as follows:

- (i) Attain a real GDP growth of 6.6 percent in 2005, 7.0 percent in 2006, 7.2 percent in 2007 rising to 7.5 percent by 2008;
- (ii) Attain and stabilize Consumer Price Inflation at around 4.0 percent (revised series) by end-June 2006, consistent with major trading partners;
- (iii) Increase domestic revenue collection to the equivalent of 14.0 percent of GDPmp in 2005/06, 14.3 percent in 2006/07, and 14.6 percent in 2007/08;
- (iv) Contain the growth rate of broad money supply (M_2) within a band that is consistent with GDP growth and inflation targets;
- (v) Maintain adequate official foreign reserves of not less than a value equivalent to seven months of imports of goods and non-factor services;
- (vi) Maintain a market determined realistic exchange rate, with BOT's intervention exclusively limited to smoothing wide fluctuations and/or liquidity management purposes;

- (vii) Accelerate reforms to the requisite legal and regulatory framework for enhancing access to credit by the private sector.

CHAPTER TWO

REVIEW OF PRS IMPLEMENTATION

Sector Performance

16. The Poverty Reduction Strategy (PRS) provided for priority sectors and cross cutting issues, namely agriculture, education, health, water, rural roads, judiciary, and HIV/AIDS. The activities were set within these priority sectors to achieve a number of targets. Recent review of sector performance has shown positive encouraging results, whereby significant progress has been recorded for a number of targets and modest progress recorded on others.

Agriculture

17. The medium term PRS target for the agriculture sector was to attain a growth rate of at least 5.0 percent, up from 3.4 percent in 2000. While in both 2001 and 2002 that goal was attained, the year 2003 experienced a decline to 4.0 percent, following a severe drought during the 2002/03 agricultural season. Besides dependence on rainfall, performance of the agriculture sector continued to be hampered by inappropriate technology, inadequate extension services, lack of development credit, and unfavourable export markets, particularly for traditional export crops.

Rural Roads

18. The target for PRS was to rehabilitate a total length of 4,500 km of rural roads by 2003 and to undertake routine and periodic maintenance of all rural roads with a focus on community involvement. Remarkable achievements were attained in 2003 by rehabilitating 5,680 km of rural roads and 150 bridges, compared to 3,780 km and 180 bridges rehabilitated in previous year. In the past three years accessibility of rural areas has fairly increased, thus improving the movement of people and commodities. The positive performance of the rural roads rehabilitation programme during PRS period is attributed to increased budget allocations for rehabilitation of feeder, district and regional road

network; promotion of the use of labour intensive technology in rehabilitation of the road works, which contributes to poverty reduction; and introduction of District Roads Management System (DROMS). Inadequate capacity at district level and lack of competent contractors in some districts are some of the issues to be addressed in the medium term.

Education

19. The PRS target was to increase gross enrolment rate in primary schools to 85% and net enrolment rate to 70% by 2003; and to achieve gender equity in enrolment rates in primary and secondary schools. The implementation of the Primary Education Development programme (PEDP) led to an increased Pupil/Text Book ratio, increased Gross Enrolment Rate (GER) from 84.4 per cent in 2001 to 105.3 per cent in 2003 and reached 106.3 per cent in 2004. During the same period, Net Enrolment Rate increased from 66.0 per cent to 88.5 per cent and was 90.5 percent in 2004. This increased enrolment necessitated recruitment of 15,921, teachers as well as building 226 teachers' houses. In addition, the teacher- pupil ratio has improved.

20. However, the pace of transition to secondary schools is low, despite the growth of private secondary schools. The number of students enrolled in secondary schools increased from 21.7 percent in 2002 to 38.7 percent in 2003. The ratio between girls and boys that completed form IV was 53.6 percent for boys and 46.4 percent for girls. The ratio for form VI leavers was 65.5 percent for boys and 34.5 percent for girls. There are also large gender disparities in enrolment at secondary and tertiary levels. The vulnerability of girls to adverse cultural belief and customs, early pregnancies and sexual abuse remain challenges to enrolment and completion of schooling.

Health

21. One of the PRS targets for health sector was to reduce under-five mortality rate from 158 per 1000 live births in 1999 to 127 by year 2003 and to 79 per 1000 live births by year 2010. In 2002, under-five mortality rate slightly declined to 154 per 1000 live births. Efforts to further reduce under five mortality rate were hampered by infants born with HIV and

AIDS, increased number of orphans, malaria infection, and weak network of information systems and coordination on trends of routine data, including vaccination and vitamin A supplementation.

Water

22. The PRS aimed at facilitating an increase in the provision of adequate, safe and clean water in rural areas to 55% by 2003, and to 85% by 2010. By June 2003, improved and safer rural water supply coverage went up to 53 percent compared to 49 percent in December 2000. Urban water supply coverage has increased from 68 percent in December 2000 to 73 percent in June 2003. Coverage of sewerage services in urban areas increased from 10 percent in 2000 to 17 percent in 2003 but pollution control and solid waste management systems are not adequately developed to protect public health, well being, and the environment. The challenge is to expand water and sanitation services in rural and urban areas.

Cross Cutting Issues

HIV and AIDS Pandemic

23. The PRS implementation period witnessed a number of initiatives taken by the government to curb the spread of HIV/AIDS pandemic. These measures include the establishment of the Tanzania Commission for AIDS to collaborate with other stakeholders in addressing the pandemic. The other activities include: Organizing sensitisation seminars for religious leaders, civil societies, work place interventions; and carrying out annual HIV/AIDS/STI surveillances and preparing respective reports.
24. A total of 18,929 AIDS cases were reported to the National AIDS Control Programme from the 21 regions during the year 2003. This resulted into a cumulative total of 176,102 reported cases since 1983 when the first 3 cases were identified in the country. It is estimated that only one in five cases are reported. Therefore, the total cumulative cases are estimated at 880,510. According to the Tanzania Health Indicator Survey conducted

in 2004 the prevalence rate of HIV at household level in Tanzania is at 7.0 percent among people aged 15 to 49. The HIV and AIDS pandemic is a great challenge because it has serious multidimensional impact on development.

Gender

25. In the three years of PRS implementation, the government in collaboration with other stakeholders addressed the following issues with regard to gender: promoted initiatives aimed at adjusting gender related adverse customs and traditions; ensured urban and rural women are aware of their rights; proposed legal reforms that enhance gender equality and eliminate discrimination against women; and initiated research into the underlying causes of gender inequalities already identified in national and sectoral surveys.

Governance

26. During the implementation of PRS, the government continued to take various steps to promote good governance in the public service delivery through: improvements in public finance management and accountability, strengthening legal and regulatory framework, sustaining poverty reduction initiatives, involving stakeholders in the policy making process, enhancing reduction of corruption through implementation of NACSAP, combating crime and improving timeliness in the availability of information for economic management and development planning. The government has also been accelerating and increasing the conduct of cases, improving the capacity and integrity of legal personnel, dispensing justice to the public and reduction of backlog of cases as well as enhancing and promoting awareness on human rights to the public. In addition, guidelines were developed and are being used by local government authorities in preparing anti-corruption action plans for implementation during 2005/06.

Summary of lessons drawn from the implementation of PRS

27. The implementation of the PRS generated a number of lessons including the following:

- PRS focused on few priority sectors which did not fully meet the aspired development programme objectives;
- Implementation of PRS is not sufficient in ensuring sustained long term growth, so there is need for strategic investments that can make the economy grow and reduce poverty;
- Successes and benefits recorded in macro-economic performance and reforms laid foundation for addressing poverty reduction
- There is a need to strengthen LGAs in monitoring poverty reduction;
- PRS provided an opportunity for linkages between sectoral strategies and poverty reduction;
- PRS enhanced transparency and accountability in the management of public resources released for poverty reduction interventions;
- PRS approach has facilitated the implementation of government policy of fiscal decentralisation by channelling more funds to LGAS;
- PRS provided a platform for stakeholder consultations; and
- PRS has demonstrated the need to have clear link between the national policies and the budgetary resource allocation.

CHAPTER THREE

MEDIUM TERM PLAN OBJECTIVES AND NSGRP FOCUS

Medium Term Plan Objectives

28. In the medium term the government will continue implementing a core of socio-economic development initiatives, which are compatible with aspirations of the Development Vision 2025, Medium Term Plan, TAS and National Strategy for Growth and Reduction of Poverty (NSGRP) targets.

29. The over-riding objective of the Medium Term Plan and Budget Framework is to incorporate and support the NSGRP cluster interventions in order to bring about a broad based growth that would go a long way towards attaining significant impact on poverty reduction in the country. To this end, the Plan and Budget Frame for 2005/06-2007/08 will continue to focus on achieving the following policy objectives:
 - Consolidate macroeconomic stability by pursuing and sustaining pro-growth strategies and interventions that will yield sustainable and broad-based economic growth required in fighting poverty;

 - Create conducive environment for private sector development by improving policies and regulations, encouraging financial institutions to increase their lending to productive sectors, and strengthening social and economic infrastructure and services;

 - Improve and sustain quality of life and social well-being by paying more attention on equity and quality issues in the delivery of social services;

 - Foster and sustain good governance and accountability through combating crimes/corruption/insecurity and integrating future needs of peace enforcing organs into planning and budgeting process;

- Mainstream cross-cutting issues including gender equity, HIV/AIDS control, environmental protection and good governance actions into sector strategies and activities;
 - Implement public sector reforms to entrench public accountability, transparency and efficiency in conducting government business, and enhancing broad-based participation in decision-making process;
 - Implement Pay Reform Programme in order to promote efficiency in the delivery of services in the public sector;
 - Create employment opportunities through increased investment in the productive sectors, strategic economic infrastructure, and social services;.
 - Furthering the Government's resolve on decentralization by devolution;
 - Increase resource allocation to identified poverty reduction cluster interventions.; and
 - Allocate resources taking into account the needs of vulnerable groups.
30. The Medium Term Plan, Strategic Plans and the NSGRP will continue to be operationalised through Medium Term Expenditure Framework. The MTEF is thus an expenditure management tool for implementing government policies. It establishes the uses of public resources consistent with policy priorities. It translates the policy objectives into programmes, targets and activities. Expenditure programmes are therefore driven by policy priorities and disciplined by budget realities.
31. The NSGRP is a medium term strategy focusing the country development agenda on poverty reduction. It seeks to strengthen private sector

development; effective participation of civil society and enhance country ownership; and build smart partnerships. It takes on board commitments to the regional and international initiatives for social and economic development.

32. The NSGRP builds on the first PRS and draws on results of the consultative process of PRS review that took stock of poverty reduction experience, and national planning frameworks, particularly the three-year Medium Term Plan for Growth and Poverty Reduction. Unlike the PRS, NSGRP is a five year strategy, a period considered feasible for a more sustained resource mobilization, implementation and evaluation of interventions. The main distinctions of NSGRP from the PRS are:-

- "Outcomes-approach" counts on the contribution of all sectors towards specific outcomes on growth, improved quality of life, good governance and equity. The PRS was focused on "priority sectors" in impacting on poverty reduction;
- Pays greater attention to further stimulating private investment response, developing infrastructure, human resource development, and building a competitive economy;
- Provides for deepened ownership and inclusion in policy-making processes and make participation more institutionalised;
- Pays greater attention to mainstreaming cross-cutting issues, namely HIV and AIDS, gender environment, employment, governance, children, youth, elderly, disabled and human settlement; and
- Recognise the imperative of addressing human vulnerability of various social groups.

33. Implementation, monitoring and evaluation of NSGRP is based around eight key principles: national ownership; political commitment to economic and structural reforms; local partnerships; harmonised assistance; equity; sustainable human development; macro-micro

linkages; and mainstreaming cross-cutting issues. The Strategy identifies three major clusters of poverty reduction outcomes, which are: -

Growth and Reduction of Income Poverty

34. This cluster focuses on pursuing and sustaining pro-growth interventions with emphasis on increasing the income of households that will facilitate their access to social services (education, health, nutrition and shelter). The cluster interventions envisage a broad-based and equitable economic growth, which will address household incomes disparities, and contribute to district and regional economic growth to attain a significant impact on poverty reduction.

Improvement of quality of life and social well being

35. The cluster focuses on interventions of providing social services in order to improve and sustain quality of life and social-well being by paying more attention on equity and quality in the delivery of social (education, health, nutrition, water and sanitation, shelter) as well as addressing the vulnerable groups.

Governance and accountability

37. Governance addresses human rights, a functioning and fair justice and anti-corruption system; and seeks for effective public administration that is managed openly and in the interests of people they serve. Public access to information on policies, laws and public finance is a human right, a means to facilitating effective policy implementation, monitoring and accountability.

CHAPTER FOUR

STRENGTHENING PUBLIC ADMINISTRATION SYSTEMS

38. A major condition/prerequisite for the realization of growth/social well being and poverty reduction objectives, outlined in the National Strategy for Growth and Reduction of Poverty (NSGRP), is the existence of a positive governance and accountability climate. This is recognized by the government-hence the inclusion of a cluster called governance and accountability within the NSGRP.

39. A key element of that climate is an efficient and effective public administration system that also is managed in the interest of the people it serves. In recognition of that the government of Tanzania took steps to reform its public administration system since the 1990s, initially under the Civil Service Reform Programme (CSRP) as part of efforts to fundamentally transform and improve the social-economic condition of the country.

40. Currently public administration system reform consists of a number of distinct but related reform programmes, each geared towards the same overall policy objective, but covering different aspects of reform. During the last decade funding for these important reform initiatives have been extended through project/basket support by development partners. As we move to a more holistic approach to national development in the framework of the NSGRP it is important that resources be made available from the government budget to fund these reform efforts if the overall objectives of NSGRP have to be realized.

Contracting out non core activities and installing performance management system

41. At the centre of these is the Public Service Reform Programme (PSRP), tasked with operationalizing the government's Public Service Management and Employment Policy, and as of now concentrating on rationalizing structures, organizations and systems of government

agencies, rationalizing the functions of government and thereby contracting out non-core activities to the private sector, installing performance management systems throughout the public service with a view to enhancing performance and accountability, and improving the way public servants are managed as well as enhancing their skills, competencies, ethical standards and motivations with the view to better their performance. The next phase of PSRP will be to consolidate and reinforce the systems and make the quality management culture internalised in the entire machinery of government.

Public Financial Management Reform Programme (PFMRP)

42. The Public Financial Management Reform Programme (PFMRP) focuses on improving the financial management in the government including resource mobilization, budgeting and accounting these interventions have made possible for the government to eliminate budget deficits and to ensure fiscal stability resulting in higher economic growth and lower inflation. The IFMS has helped to ensure that there is no commitment before budgetary approval and actual allocation of funds to MDAs.

44. These measures have contributed to macroeconomic and fiscal stability resulting in higher economic growth and controlling inflation. These achievement need to be consolidated and rolled over to local governments. The next phase of PFMRP should cover procurement information technology and services, investment management and external audit services.

Local Government Reform Programme

45. The Local Government Reform Programme is tasked with operationalizing the government's Local Government Reform Policy, and currently it is concentrating on implementing decentralization by devolution in the fiscal, human resources and legal areas.

Legal Sector Reform Programme

46. The fourth reform programme called the Legal Sector Reform Programme (LSRP) is aimed at strengthening and modernizing legal institutions, processes and procedures with a view to improving the rule of law and the dispensation of justice. Work on this programme started rather late and would need to be given a greater push during the next three years.

Pay Reform

47. A better performing and well-motivated public service is key for growth and the reduction of poverty. Pay reform aims at enhancing public servants' salaries to the levels consistent with market rates as a condition for better public service performance, motivation and productivity. In this regard, in the Medium Term Pay Policy it was assumed that the wage bill to GDP ratio would rise from 4.4 percent in financial year 1999/00 to 4.8 percent in five years. To date, this level has not been attained. Efforts have been made to bring back pay reform on track by increasing the wage bill to GDP ratio from 4.2 percent in 2003/04 to 4.4 percent in 2004/05. In 2005/06, the wage bill needs to increase to TShs 681.9 billion equivalent to 4.8 percent of the GDP. In the medium term the wage bill will be maintained at the same rate consistent with changes in the nominal GDP to meet the requirements for increased recruitment, all normal PE adjustments and salary enhancement.

Executive Agencies

48. The current 20 executive agencies, are supposed to be managed on corporate basis, to create their own revenue bases and stop dependency on government support. However, subvention from the government will be provided to ensure sustainability of their revenue bases. For the new salary packages which are being proposed, every executive agency should: confirm their own revenue base to pay for higher salaries before proposing new salary levels to their Ministerial Advisory Boards; and the

proposed new salary levels should be submitted to PO-PSM for approval with prior endorsement from the relevant Permanent Secretary.

Budgeting for Personal Emoluments (PE)

49. For 2005/06 – 2007/08, to guide preparation of PE budgets and the process of contracting out of non-core activities, the MDAs, Regional Secretariat and Local Government Authorities should adhere to the following instructions:-

- Budgeting for personal emoluments must follow PO-PSM circular No. BC. 46/97/03/2 of October 1, 2004.
- Request for new employment must follow the procedure stipulated in Civil Service circular letter No. BC/46/97/03/16 of October 1998, focus must be on areas that have greatest impact on growth and reduction of poverty.
- For purpose of calculating wages and other statutory emoluments, refer to Civil Service Circular No. 1 of 1997 and Treasury Registrar's Circular No. 2, 3 and 4 of 1997 and No. 1 of 1998.
- All normal PE adjustments (e.g. promotions, annual increments) should be worked out and included in the P.E. estimates; and be in accordance with the new schemes of service as per staff circular No. 1 of 2004.
- MDAs and Regions should identify non-core services that can be contracted out either to private sector or executive agency. Under this arrangement, the private sector providers will enter into contract with relevant MDAs and Regions to provide the identified non-core services. Contracting out of services will be effective if payment to the providers is guaranteed. Thus, the implementing agencies are directed to estimate and provide adequate funds for this purpose in their respective sub-items. The appropriate sub-

item to be used for this purpose is coded 261103 – Consultancy Fees.

- Measures will be taken in future to improve integration of the process of human resource staff establishment and resource allocation. To ensure effective implementation of planned outcomes, there is a need to ascertain appropriate staff levels, necessary for service delivery.

CHAPTER FIVE

POLICY COMMITMENTS IN THE MEDIUM TERM

50. This chapter highlights policy decisions and commitments that need to be addressed in the Medium Term Expenditure Framework. The Public Expenditure Review process provides inputs in the MTEF by identifying policy commitments and priority areas for public expenditure. MTEF aligns government funding to the National Strategy for Growth and Reduction of Poverty cluster interventions. In the implementation of NSGRP cluster strategies all sectors have been brought on board. This chapter highlights policy commitments under the three clusters

Growth and Reduction of Income Poverty Cluster Agriculture:

- Increasing agriculture growth from 5% in 2002/03 to 10% by 2010;
- Exploiting the irrigation potential as an integral part of the both Agriculture Sector Development Strategy and Programme to achieve the following: improved food security, and production of higher value crops such as vegetable and flowers;
- Increasing productivity in the existing agricultural activities;
- Strengthening capacity for timely control of crop pests and diseases;
- Promoting rain water harvesting;
- Improving animal health and livestock production;
- Promoting client oriented livestock research;
- Mainstreaming cross-cutting issues such as HIV and AIDS, gender, environmental conservation;
- Improved feeder and rural roads leading to potential agriculture areas;
- Improving access to inputs by subsidising farmers through targeted inputs;
- Mainstreaming planning for agricultural development in other sectors;

- Improving access to mechanisation for smallholder farmers;
- Promoting post harvest management techniques in rural households; and
- Promoting and preparing conducive policies, laws and regulations for improvement of cooperatives and marketing.

Roads:

- Rehabilitation, maintenance and upgrading of the road network especially those leading to social, economic and productive sectors;
- Assisting local contractors to increase their capacity;
- Increasing the allocation of internally generated funds to accelerate construction works of the special roads programme;
- Mobilizing local communities to play active roles in rehabilitation and maintenance of rural roads;
- Involving the private sector in the development of infrastructure through using the concept of BOT, BOOT, Build and Lease; and
- Constructing of trunk roads including those under Regional Corporation programmes such as SADC and EAC.

Lands

- Harmonizing and enforcing policies and laws that are relevant to land.
- Preparing integrated urban development plans in collaboration and consultations with local government authorities and facilitate housing both in urban and rural areas.
- Implementing land-use and management plans, facilitate planned settlements as provided for under Land Act No. 4 of 1999, regularization of unplanned settlements, and improving land rent revenue collection, financial management system and land information database management.

Energy

- Improvement of production and productivity of energy;
- Expansion of power generation and distribution;
- Extension of rural electrification schemes;
- Development and promotion of other renewable energy sources such as wind, solar, mini-hydro and geothermal plants;
- Promotion of sub-regional and regional cooperation and collaboration and putting in place mechanisms to integrate the national grid with the regional grid to create and maintain a viable regional power pool for member countries;
- Enhancement of availability of commercial energy in rural areas at an affordable price; and
- Encouragement of private sector participation in generation of energy particularly in rural areas.

Trade

- Increasing production of diversified export products;
- Developing intervention in the area of access to market aiming at promoting products that maximize value addition;
- Engaging fully in bilateral, regional, and international trade arrangements; and
- Developing the data bank and promote the use of Information Communication and Technology (ICT) including e-government and e-commerce and promote trade through fair trade advocacy.

Tourism

- Bringing the standard of services of tourism facilities to international expectations;
- Creation of enabling environment for private sector participation;
- Consolidation of the multiplicity of tourism laws into one legislation; and
- Increasing the marketing and promotion of tourism products.

Mining

- Promotion of an effective and sustainable mining industry;
- Creation and expansion of employment in the sector;
- Development and promotion of enabling environment for investment in mineral value addition;
- Reduction of environmental damage caused by mining activities.
- Updating mineral policy and legislation; and
- Attracting investment in coal and natural gas development.

Current Development Initiatives

Private Sector Development

- Continue creating enabling environment for private sector participation in poverty reduction efforts;
- Formulating the National Private Sector Development Strategy which, among other things will focus on critical reviews of policy framework to determine its effect on private sector development
- Encouraging the private sector to invest in the agro-processing industries;
- Reviewing laws and regulation to attract private investments in agriculture and promoting diversification of non-farm activities;
- Promoting public-private partnership in the provision of services; and
- Promoting the Export Processing Zones (EPZs) and Special Economic Zones (SEZs).

Small and Medium Enterprises (SMEs)

- Transforming informal small and medium enterprises to formal entities through implementing the SMEs policy;
- Establishing special economic zones to speed up the inflow of local and foreign direct investment;
- Increasing access to finance through improvement of financial services to SMEs;
- Creating a community of entrepreneurial financiers;

- Enhancing business environment by simplifying and modernizing legislation on land registration and commercial laws;
- Removing business impediments in the country through implementation of BEST programme; and
- Reducing critical problems affecting the SMEs through initiatives, such as Micro, Small and Medium Enterprise (MSMEs) Project.

Property and Business Formalization Programme

- Determine the main obstacles preventing property and business owners in the informal sector from joining the formal sector, thus benefiting from available opportunities in the latter;
- Design reform packages that will address the obstacles and progressively promote the conversion or integration of the informal sector into the formal mainstream of the economy; and
- Execution of the first two stages of the programme, which include Diagnosis – taking a thorough diagnosis of the size and nature of the country's extra legal and customary sectors as well as preliminary overview of why citizens prefer to stay outside the present legal system; and Reform design – which aims at integrating extralegal real estate and business into legal system in order to boost economic growth.

The Tanzania Mini Tiger Plan 2020

- Getting the country out of "the Poverty Trap" through the adoption of the Asian Development Model. This initiative is being undertaken by the government to enhance its economic development, which would serve as an economic growth model for Africa;
- Addressing major problems which include poor productivity in almost all sectors which is partly due to poor infrastructure and inadequate skills for the modern market economy and insufficient export earnings for economic growth through a demand based rather than supply led approach;

- Raising the GDP from the current US\$ 2 billion to US\$ 40 billion and the average annual economic growth to a level of 8 – 10 percent. During the plan period, per capita income is expected to be raised from US\$ 260 in 2003 to US\$ 1,000 in 2020 and the industrial sector share to GDP will also be increased from 7% (2003) to 15% - 25% in 2020;
- Establishing 25 – 30 Special Economic Zones (SEZs) and create 3 million direct new jobs;
- Focusing on a few potential sectors of agriculture, tourism and light industries. Also, seven special Economic Zones (SEZs) will be established and nation wide programmes on one village-one product will be initiated parallel with the shopping for FDI and DDI; and
- Improving infrastructure, and building human capacity e.g. training in relevant job skills and establishing special economic zones (SEZs) for increased production and productivity.

Improved Quality of Life and Social Well-being Cluster

Education

- Consolidating the achievements so far registered during the implementation of PEDP and improving on future performance through recruitment of teachers, construction of teachers' houses; and implementation of strategies aimed at addressing high drop-out rates, low pass rates and pupil-teacher ratio variations across districts;
- Implementing the Secondary Education Development Programme (SEDP) which aims at improving access, equity, quality and management of secondary education;
- Strengthening teaching and learning environment at higher learning institutions by constructing lecture rooms, students' hostels, offices and rationalizing tertiary education in order to increase enrolment;

- Improving curriculum to reflect market demand and investing more in human resource development;
- Strengthening pre-entry science programmes for female students so as to attain gender balance at technical and higher education levels;
- Operationalising the students' loan scheme; and
- Rehabilitating existing infrastructure.

Health

- Rationalising the allocation of drugs and supplies at the facility and district level including meeting localized need and burden of disease and deploying stronger mechanisms to audit the drug supply and distribution chain;
- Eliminating all forms of barriers to health care by:- exempting the poor, pregnant women, old and disabled persons, children and removing unofficial charges and reducing distance to health facilities and improving treatment;
- Operationalising public health and primary preventive strategies such as broad access and use of ITNs, immunization, use of safe and clean water, personal hygiene and sanitary measures, promoting greater awareness and emphasising cost-effective interventions;
- Scaling up proven non-ARV interventions, including therapies such as natural or good supplements, TB prevention and treatment, and treatment of opportunistic infection in PLWHAs;
- Promoting equitable, sustainable and cost effective access to all affected households to Anti-Retro Viral (ARV), with emphasis on ARV education, prevention of mother-to-child transmission (PMTCT+) and support for the mother after delivery;
- Promoting and protecting reproductive health rights including access to family planning, contraceptives, adolescent reproductive health services, to allow choices and control of fertility outcomes by women and youth;

- Switching over from the current line treatment malaria (SP) to a more effective therapy treatment; and
- Addressing fully the issue of understaffing in public health facilities at all levels.

Water and Sanitation

- Expanding water supply systems in both rural and urban areas and developing urban sewerage facilities;
- Reserving water for protection of the environment and ecosystems;
- Making water for basic human needs available in adequate quantities and acceptable;
- Setting up an institutional framework for water resources management to meet the challenges of effective integrated water resource planning and management;
- Instituting water resource planning on river basins using an integrated multi-sectoral approach involving stakeholder and considering requirement for bio-diversity and human health;
- Increasing the availability of water resources through rain water harvesting, inter-basin transfers, desalination and waste water re-use;
- Implementing systematic monitoring and assessment of water quality combined with effective control of sources of pollution and application of the "polluter-pays" principle; and
- Introducing a demand Responsive Approach (DRA) to water resources management through the use of demand driven management approaches.

Governance and Accountability

- Strengthening the capacity of public administration system by supporting the Public Service Reform Programme, the Public Financial Management Reform Programme, the Local Government

Reform Programme and Legal Sector Reform Programme initiatives.

- Designing and implementing campaigns to inform people of their rights, responsibilities and addressing all forms of abuse, intolerance, discrimination and stigma;
- Increasing capacity of police to fairly combat crimes effectively and proliferation of small arms, terrorism, money laundering and illicit business;
- Strengthening the systems and institutions of accountability, ethics, and transparency of government, non-government organisations and political parties;
- Reducing overcrowding in prisons;
- Enhancing and strengthening capacity to fight corruption in the country; and
- Strengthening professionalism in the supervision of courts, entrenching public participation in the legislative process, improving prosecution capacity and improving efficiency in litigation and preparative of civil cases.

Crosscutting Issues

HIV/AIDS

- Continue mainstreaming HIV and AIDS into the country planning and budgeting system;
- Increasing public understanding of prevention, care and treatment through public information and education on HIV/ AIDS;
- Promoting both home and community based care and treatment for people living with HIV/AIDS (PLWHA);
- Conducting impact assessment of HIV and AIDS on socio - economic development;
- Incorporating HIV/ AIDS issues in primary and secondary school curricula and ensuring primary and secondary schools provide effective HIV/ AIDS life-skills education;

- Promoting equitable, sustainable and cost effective access for all affected households to Anti-Retro Viral (ARV); and
- Monitoring cost effectiveness of the funds allocated to HIV/ AIDS interventions at all levels.

Environment

- Strengthening capacity for environment conservation and management programmes in collaboration with various institutions and stakeholders;
- Preparing and disseminating strategies for environment conservation education at village level;
- Conducting environmental impact assessment to all major infrastructural projects executed in the country;
- Promoting sustainable management of water catchments area and maintenance of forest cover in critical highland catchments areas;
- Implementing national waste management strategy to reduce, recycle and undertaking safe disposal of waste; and
- Promoting more efficient environmental friendly technologies.

Gender

- Continue mainstreaming gender issues in policies, plans, and budgets;
- Carrying out capacity building programmes for core personnel dealing with gender;
- Promoting credit facilities which cater for women economic development needs e.g. Women Development Funds;
- Sensitizing decision makers in gender matters at district and regional levels;
- Disseminating the National Gender Policy Framework and Strategy;
- Facilitating and creating conducive environment to enable women to form SACCOS which later will be used as a basis of forming a women's bank;

- Continuing to emphasise collection, analysis and use of gender disaggregated data by MDAs; and
- Continuing the fight against gender violence and abuse.

CHAPTER SIX

RESOURCE ENVELOPE AND GOVERNMENT EXPENDITURE FOCUS

Projected Resource Envelope

51. As the Budget Frame (**Annex 1A**) shows, total resources are projected to increase from TShs 3,347,539 million in 2004/05 to TShs 4,103,145 million in 2005/06, and decline to TShs 3,650,348 million in 2007/08. Of this amount, domestic revenue is projected to increase from TShs 1,983,125 million in 2005/06 to TShs 2,580,582 million in 2007/08. The increase in overall resources in the outer years is based on the assumption that the current levels of support will be maintained. However, the implementation of NSGRP will require substantial and predictable resources from all actors (public, private, and development partners).

Domestic Revenue

52. In the next three fiscal years, the Government expects domestic revenue to continue growing steadily. The revenue effort is projected to increase from 13.8 percent of GDP in 2004/05 to 14.0 percent and 14.6 percent in 2005/06 and 2007/08, respectively. The increase in revenues is on account of the following assumptions:
- The macro targets (GDP growth, inflation, import growth, exchange rate) as provided by these Guidelines will be observed; and
 - The Second Corporate Plan of TRA is implemented fully and effectively.

External Resources

53. External resources are projected to increase from 10.9 percent of GDP in 2004/05 to 12.9 percent of GDP in 2005/06. The projected increase is attributed to the following: -
- (i) Improved systems for sharing information on resource mobilization and allocation;
 - (ii) Enhanced` accountability and transparency in the management of public resources has boosted the confidence of development partners;
 - (iii) Enhanced transparency inherent in the PER process which has resulted in increased donor support; and
 - (iv) Expected development partners' enhanced support for implementation of NSGRP.

Domestic Financing

54. Non-bank borrowing in the medium term will be for financing maturing Government securities and infrastructure development. Consistent with the macro-economic framework, the Government's net domestic financing (NDF) for budgetary operations is expected to decline in the medium term. In this regard, bank borrowing will be contained at 0.8 percent of GDP in 2005/06, declining to 0.2 percent in 2007/08, thereby allowing for further expansion of credit to the private sector.

Integrating MTP, Sectoral Strategic Plans and NSGRP objectives into Annual Plan and Budget Process

55. Having the Medium Term Plan (MTP), Strategic Plans and NSGRP Cluster interventions as instruments to guide resource allocation, it is necessary to ensure that they are appropriately sequenced and properly timed in order to provide adequate linkages and synergies among them.

Preparation of the Budget Guidelines is guided by the Vision 2025, MTP and NSGRP and inputs from PER process. The Plan and Budget preparation stages are summarized hereunder:

- (i) The Annual Plan and Budget process begin with the macro economic and sectoral performance reviews. PER Working Group's outputs provide basic data and information used in reviewing budget performance and in the preparation of the Budget Guidelines.
 - (ii) The second stage is projection of economic growth and identifying key macro-economic and sectoral policy commitments with the view to determining a pool of resources (both external and internal inflows) expected to be available in the upcoming budget year and the other two following outer years.
 - (iii) The third stage entails identification and linking of MDA's, Region's and Local Government Authorities strategic/medium Plans with overall Medium Term Pan objectives, NSGRP interventions, and Government policy commitments to ensure their consistency.
 - (iv) The fourth stage involves costing of strategic sectoral planned activities consistent with NSGRP Cluster interventions and then applying MTEF process to integrate NSGRP Cluster interventions with budget activities and to link the activities with the resource allocation as well. This activity includes preparation of the annual budget by all MDAs.
56. Given the new cluster dimension and outcome based NSGRP, the resource allocation process has posed new challenges. To respond to these challenges, a software was developed to facilitate resource allocation to the NSGRP clusters and strategies or outcomes. The newly

developed software namely "Strategic Budget Allocation System (SBAS)" is in two versions:

- The first version is SBAS Micro; which is used by MDA's in outlining resource requirements to implement NSGRP cluster strategies (targets)
- Data from SBAS Micro is imported into SBAS Macro Version, which is used by the centre to analyse and allocate resources to NSGRP cluster strategies and the remaining MDAs requirements.

Criteria for Strategic Resource Allocations among Clusters

57. Prioritization and sequencing of NSGRP interventions is based on the following considerations: the on going programmes/ activities that were initiated by original PRS; new strategies that builds on ongoing activities; strategies that have multiple effects, that is, strategies covering more people, larger or more issues; strategies that address more than one outcome; strategies that contribute to implementation and capacity development; strategies that address the regional imbalances; and strategies for mainstreaming cross-cutting themes.
58. Mindful of the considerations above, the NSGRP and the proposed interventions by actors under each cluster: growth and reduction of income poverty; improvement of life and social well being; and governance and accountability, have been assigned relative weights to guide resource allocation process.

Growth and Poverty Reduction

59. The growth and reduction of income poverty cluster interventions have been allocated 39% of the total funds available for implementing NSGRP having considered the following factors, among others:
 - Consolidating and sustaining macro-economic fundamentals to support economic growth.
 - Attaining food sufficiency and growth by supporting irrigation programmes.

- Investment in rural infrastructure, (rural roads) to facilitate marketing of rural produce and sustaining ongoing initiatives aimed at improving co-operative and marketing system.
- Improving access to and ability to use productive assets for the poor.
- Addressing geographic disparities by identifying opportunities and potentials.
- Supporting SMEs and the informal sector in accessing financial services, and implementing land use and management plan.

Quality of Life and Social Well-being

60. Improvement of quality of life and social well-being cluster interventions have been allocated 43% of the resources to sustain delivery of social services at the present level and the demand that is being put to operation and maintenance of the investments that are being put up under ongoing programmes such as PEDEP and new ones e.g. SEDEP. This level of funding will as well enable the government to implement its declared policies, which include HIV and AIDS and Malaria treatment and prevention.

Governance and accountability

61. Governance and accountability cluster intervention have been allocated 18% of resources to provide conditions within which growth, social well-being and poverty reduction take place. The focus is on governance of economic structures and processes such as finance, information, natural resources, management systems, personal security, tolerance and inclusion, and participation of all men and women in decision-making.

Expenditure Framework

62. Projected total expenditure for 2005/06 – 2007/08 is summarized in **Table 4:**

TABLE 4: PROPOSED BUDGET ALLOCATIONS (in Million T.Shs)

	2004/05	2005/06	2006/07	2007/08
A. RESOURCE ENVELOPE	3,347,539	4,103,145	4,355,669	4,561,157
B. EXPENDITURE ALLOCATIONS				
1. RECURRENT EXPENDITURE				
(1) OTHER CHARGES				
- CFS	479,476	554,591	562,967	603,849
- Ministries	985,391	1,090,133	1,284,784	1,376,989
Subtotal	1,464,866	1,644,724	1,847,751	1,980,838
- Regions	15,175	17,200	19,400	21,900
- LGAs	105,217	154,000	150,160	166,566
- Special Exp.	30,365	148,265	43,360	55,872
Total OC	1,615,624	1,964,209	2,070,681	2,225,176
(2) PE				
- CFS	1,699	1,787	1,838	1,911
- Parastatals	87,466	97,062	100,966	101,686
- Ministries /1	237,961	342,656	406,534	479,067
- Regions	18,295	18,241	20,010	20,811
- LGAs	308,000	320,090	332,690	346,110
Subtotal	551,159	681,897	759,344	845,988
Total PE	640,324	780,746	862,148	949,577
TOTAL RECURRENT	2,255,948	2,744,955	2,932,829	3,174,753
2. DEVELOPMENT EXPENDITURE				
(1) Local				
- Ministries	222,934	286,167	327,425	374,871
- Regions/LGAs	19,771	11,302	11,750	12,218
Total Local	233,705	297,469	339,175	387,089
(2) Foreign				
- Ministries	824,026	1,038,381	1,060,096	876,323
- Regions/LGAs	33,859	22,340	22,967	20,524
Total Foreign	857,886	1,060,721	1,083,063	896,847
TOTAL DEVELOPMENT	1,091,591	1,358,190	1,432,840	1,386,404
TOTAL BUDGET	3,347,539	4,103,145	4,355,669	4,561,157

/1 Includes Salary Adjustment

Recurrent Expenditure

63. Proposed allocations to regions have increased by 13.3% in 2005/06 . In pursuance of the policy of decentralization by devolution, the Government has increased allocation to LGAs for other charges from Tshs.105, 217 million in 2004/05 to Tshs 154,000 million for 2005/06 which is an increase of 46.4 %. In addition to those direct allocations to LGAs the Votes of some sector ministries such as the Ministry of Education and Culture the Ministry of Health and Ministry of Agriculture and Food Security include funds that are later channelled by those ministries to the LGAs. Thus the allocations to ministries for 2005/06 totalling Tshs.1, 090,133 million appear quite substantial. The Government is committed to having all such funds held in Ministries votes shifted and disbursed directly to LGAs as capacity is built up in the LGAs.

64. Total MDA requests for "Other Charges" were TShs 1,623, 497 million against TShs 1,090,133 million available after providing for CFS, PE, Special Expenditure and Regions/Local Government Authorities (LGAs) equivalent to 67% of their requests. Of the requests from MDAs, 50.4% related to implementation of the NSGRP targets, and requests for other interventions totalled TShs 804,991 or 49.6 % of the total requests. Annex 2 shows in detail the resource requests by MDAs for 2005/06 - 2007/08 and the corresponding proposed allocations for each MDA.

65. The proposed allocation for Wages and Salaries for 2005/06 is TShs 780,746 million equivalent to 4.8% of the GDP, consistent with the Medium Term Pay Reform Strategy. Subsequently, the wage bill grows at the same rate as nominal GDP for the two years ahead. The President's Office - Public Service Management (PO-PSM) will allocate this between Salaries at current levels, annual increment, new recruitments, and a general wage increase.

66. CFS expenditure is based on projected requirements for debt service and other relevant costs falling under the category. A large increase in this category relates to projected depreciation of the shilling against the debt currencies, expected conclusion of negotiations with non-Paris Club creditors thereby starting servicing debts owed to them, and increasing domestic interest rates.

Development Expenditure (Local)

67. In the past, Development Budget (Local) has been taken as a residual item after providing for needs in the Recurrent Budget. This has led to extremely high dependence of the item on foreign support by Development Partners and inadequacy of counter-part funding for some of the projects where DP funds are available. For the first time, these Budget Guidelines propose to establish an explicit link between resources availability and the Development (Local) Budget. Analysis of the recent trend of this item indicates that it is 5% - 10% of domestic revenues. The proposal herein is to adopt 15% of Domestic Revenue as the minimum allocation for this item. This will enhance predictability of the resources available for such expenditures.
68. The distribution of the Development (Local) Budget, however, maintains the skew towards the Central Government (MDAs), with Regions and LGAs' shares maintained below 5%. In the total Development Budget (Local), the portions relating to NSGRP are 68%, 70%, and 68.7% respectively for the 3 years. Main components at the MDAs level include road construction (Vote 47) and Water projects, especially the Shinyanga/Kahama Project (Vote 49). Although the proposed allocation for Roads Construction increases by 11%, 48%, and 19% for 2005/06, 2006/07 and 2007/08 respectively, substantially more resources are needed to speed up the establishment of a solid road network throughout the country that would give the needed boost to the Government's growth and poverty reduction efforts.

69. A possibility considered, but not yet incorporated in this frame, is the introduction of an "Infrastructure Bond", to be floated by the Government with its proceeds applied for implementation of infrastructure projects with large foreign payments content, with priority accorded to the Western Roads Corridor, the Southern and Mtwara Corridor Road Network, the Shinyanga/Kahama Water Project, and the Mwanza and Songwe (Mbeya) Airports.
70. Such a strategy would have the following main benefits at a macro level:
- (i) Accelerating the rate of implementing large-scale infrastructure projects using local resources.
 - (ii) Enhancing the economy's export and foreign exchange absorption capacity, and make mopping up operations sustainable.
 - (iii) Giving meaning to the large cost already being incurred to mop up excess liquidity arising from large volumes of foreign inflows for budget support.

Development Foreign

71. A total of TShs 1,060, 721 million, TShs 1,083,665 million and TShs 999,317 million is available as foreign component for the Development Budget for the years 2005/06, 2006/07 and 2007/08 respectively. This item continues to suffer from unpredictability, reflecting the inability of Development Partners to firm up commitments for outer years.

Resource Allocation among NSGRP Clusters

72. The NSGRP has resulted into a different approach, focusing on specific outcomes (targets) rather than sectors. This change in the structure of the National Strategy for Growth and Reduction of Poverty (NSGRP) provides an opportunity for resource allocations to be made at details below the Vote level. To utilize this opportunity all MDAs were this year

asked to request resources for their Recurrent and Development budgets showing contributions to specific NSGRP Cluster interventions. **Table 5** shows the allocation of Other Charges among the NSGRP Clusters for selected sectors. The allocation of resources to all MDAs for Cluster interventions is given in **Annex 3**.

73. In allocating resources to the different NSGRP interventions, the initial proposal was to allocate 40% of the resources available to Clusters 1 and 2 each, and 20% to Cluster 3. Regard was also, had of the individual sector and/or MDAs' contribution to each of the three outcome Clusters. The outcome of the allocation exercise is to allocate 39%, 43% and 18% to Cluster 1, Cluster 2 and Cluster 3 respectively.

TABLE 5: DISTRIBUTION OF 'OTHER CHARGES' AND DEVELOPMENT AMONG NSGRP CLUSTERS – 2005/06

MDA	CLUSTER 1		CLUSTER 2		CLUSTER 3		TOTAL
	Mill TShs	% of Total allocation	Mill TShs	% of Total allocation	Mill TShs	% of Total allocation	Mill TShs
Agriculture & Food Security	99,115	99.22	302	0.30	478	0.48	99,895
Education & Culture	655	0.35	187,061	99.28	710	0.38	188,426
Health	150	0.06	262,612	99.94	0	0.00	262,762
Water & Livestock Development Works	6,575	4.73	132,338	95.14	190	0.14	139,103
Judiciary	198,825	92.09	16,798	7.78	290	0.13	215,913
PO – Regional Admn & Local Govts	674	3.83	812	4.61	16,112	91.56	17,598
TACAIDS	24,585	19.56	3,085	2.45	98,026	77.99	125,696
Industries & Trade	78	0.15	52,839	99.73	65	0.12	52,982
Energy & Minerals	8,819	96.39	60	0.66	270	2.95	9,149
	135,250	99.99	10	0.01	0	0.00	135,260

74. This being the first year that the clusters approach is applied; it is understandable that some MDAs had difficulties in linking some of their targets to NSGRP identified initiatives. For example, while every MDA is implementing the NACSAP, some MDAs did not indicate resource requirements or for that purpose. Similarly, a number of MDAs have not indicated ICT initiatives, which would come under Cluster 1 and it is a

Strategy emphasised throughout the Government as part of the e-Government drive. These anomalies will be addressed in firming up the budget as MDAs get a better understanding of the NSGRP framework and how it relates to their day-to-day operations.

75. The change introduced by the NSGRP to focus on outcomes and targets rather than sectors notwithstanding, the importance of it not adversely affecting ongoing growth and poverty reduction initiatives in key sectors cannot be over-emphasised. The proposed allocation herein builds on progress achieved under the PRS in all PRS Priority Sectors, as shown in **Table 6**.

Table 6: Comparison of Allocations for Selected Sectors⁶ 2004/05 and 2005/06

Mill TShs

Sector	2004/05			2005/06			Change
	Recurrent	Dev	Total	Recurrent	Dev	Total	
Agriculture	63,596	45,521	109,117	86,290	72,877	159,167	46%
Health	181,287	109,094	290,381	233,578	144,907	378,486	30%
Education	372,708	216,309	589,018	471,339	189,383	660,722	12%
Roads	88,518	186,332	274,850	97,364	187,053	284,417	3%
Water	23,665	102,883	126,548	28,324	120,839	149,163	18%
Judiciary	28,603	7,538	36,141	39,136	17,719	56,855	57%
HIV/AIDS	12,715	41,122	53,837	45,765	49,811	95,756	78%
Other Social Sectors	9,916	56,207	66,123	16,241	34,981	51,222	-23%

76. One of the resulting observations from the focus on growth is that the OC allocation to the Ministry of Industries and Trade has recorded the largest relative increase in 2005/06, from TShs 3,193 million to TShs 7,931 million, because of the large NSGRP component in its operations. Considering both recurrent and development expenditures, the Ministry's proposed budget reflects a 58% increase. The Ministry is primarily

⁶ 'Sectors' include institutions acting in the area, including LGAs.

responsible for implementation of the SME Policy, the National Trade Policy, and leading Tanzania's participation in ongoing regional and global trade negotiations all of which have a significant bearing on the feasibility of poverty reduction and growth strategies at the local level.

77. The allocation to the Agriculture sector has considered requirements for implementing the District Agricultural Development Plans (DADPs) and Irrigation Schemes. The large increase in the allocation to the Judicial Sector reflects resource requirements for implementing the Legal Sector Reform Programme (LSRP).
78. In absolute terms, the Ministry of Health has the largest increase in its OC budget for 2005/06, being TShs 6,281 million or 78.5% from the previous year's budget. This reflects the high cost of ARVs and malaria drugs. Of the TShs 127,987 million allocated to the Ministry, TShs 124,713 million or 97.4% relates to NSGRP interventions.

Summary of Total Allocations

79. Details of proposed resource allocations for the Recurrent and Development expenditures are given in Annexes 4 to 6. **Annex 4** shows the proposal for Recurrent Expenditure allocations to each MDA and Region, and aggregates for LGAs. **Annex 5** gives similar details for Development Expenditure with LGAs' allocations for Development expenditures included in the Regions' ceiling. **Annex 6** contains the total of Recurrent and Development ceiling for each MDA, Region, and LGAs.

CHAPTER SEVEN

ISSUES SPECIFIC TO REGIONAL ADMINISTRATION AND LOCAL GOVERNMENT

80. This chapter addresses issues that are specific to Regional Administration and Local Government. However, detailed Guidelines on how the whole process of preparing plans and budgets of LGAs for 2005/06 – 2007/08 in line with NSGRP and focusing on fiscal decentralization will be issued by PO-RALG.

Review

81. The activities that were implemented by Regional Administration during the year 2003/04 include the following:
- Supervision of regional development programmes/projects;
 - Preparation of regional socio-economic and investment profiles; and
 - Preparation of strategic plans.
82. The following are some of the activities currently being implemented as part of the plan for the year 2004/05:
- Training of Regional Secretariats' staff on the techniques for analyzing poverty situation (poverty audit) and monitoring and evaluation techniques; and
 - Rehabilitation of District Commissioners' residences for the purpose of gauging the level of rehabilitation required
83. For the financial year 2005/06, Regional Administration will, undertake the following activities, among others:
- Construction and rehabilitation of District Commissioners' Offices and residences;
 - Finalize regional strategic plans; and
 - Monitor poverty reduction in the regions.

During the same period the following seven new councils will be established: Kibaha, Babati and Korongwe Town Councils; and Namtumbo, Kilolo, Mvomero and Kilindi District Councils. The relevant councils are expected to incorporate construction of their headquarters into their medium term plans and budgets, indicating the sources of financing.

84. During the year 2003/04, Local Government Authorities (LGAs) implemented the following activities, among others:

- Thirty eight (38) Councils finalized the restructuring process and prepared their strategic plans;
- Remaining 76 Councils implemented the various steps of the restructuring process;
- In-house training was provided to Council staff for the purpose of improving financial management;
- Thirty two (32) Councils continued to implement the IFMS; and
- Collection and analysis of routine data were undertaken.

85. In addition, the following are some of the activities undertaken at Central Government level for the benefit of LGAs during the year 2003/04:

- Creation of awareness among the people about the reforms being implemented at the local level;
- Facilitating the 38 Phase I LGAs in finalizing their strategic plans and in gauging staffing level;
- Developing formulae for allocation of recurrent expenditure grants;
- Providing training in financial management to staff of LGAs; and
- Designing the Local Government Capital Grants (LGCDG) system.

86. The activities that are currently being implemented by LGAs during the current year 2004/05 include the following: -

- Implementing the various steps of the restructuring process (for the remaining councils);

- Collecting routine data for use in gauging the state of poverty reduction;
- Improving financial management and control of finances;
- Stepping up revenue collection from own sources;
- Carrying out staff audit for the purpose of establishing required staffing levels;
- Undertaking participatory planning emphasizing on bottom-up planning approach using the O & OD or similar participatory planning methodologies; and
- Implementing the Integrated Financial Management System in 32 LGAs, which are implementing the system.

87. The activities that are being undertaken by Central Government for the purpose of taking forward fiscal decentralization for 2004/05 include the following:

- Development of a manual for financial management at Village and Mitaa level;
- Making preparations for the roll-out of the IFMS to at least 30 other LGAs;
- Carrying out an assessment to gauge the LGAs that qualify for receipt of development grant funds under the LGCDG system;
- Continuing with preparations which will lead to harmonization of sector laws in line with decentralization by devolution; and
- Introduction of harmonised planning and reporting system among LGAs.

Budgetary Issues and Instructions

88. For the financial year 2005/06, LGAs will prepare plans and budget in line with NSGRP interventions. They will also implement anti-corruption action plans.

89. During 2005/06 LGAs, are urged to make budgetary provisions for enhancing their statistical capacity particularly, training on data collection, analysis and dissemination.

Planning and Management Guide (PMG)

90. Following the operationalisation of PMG and training of some regional and council levels staff, RS and LGAs are instructed to ensure that the rest of their staff are trained by using training of trainers (TOT) programmes.
91. Fiscal Decentralisation will continue to be pursued through specific strategies including the following:
- Establishing a recurrent grant system that provides sectoral conditional block grants to the LGAs on an equitable, objective and transparent basis;
 - Provision of robust, economic and adequate local revenue sources that encourage community participation and demands for accountability;
 - Decentralisation of the Development Budget by developing harmonised system of capital grant transfers to LGA; and
 - Providing planning and reporting systems, both upward to Central Government and downward to the communities, which are consistent with the requirements of good governance.
92. For 2005/06, formula-based grant allocation system, will be extended to the sectors of agriculture, water and roads. In order to prevent some local authorities from receiving fewer resources under the new formulae, a "hold harmless" baseline will be computed.
- In addition to block grants, LGAs will receive transfers from sectoral programmes (such as PEDP Capitation Grant, Health Sector Basket Fund, Roads Fund etc). Wherever possible the formulae and conditionalities have to be harmonised between the two systems.

Budgeting for Recurrent Grants

93. LGAs should budget for recurrent grants according to their budget planning and formulation processes and the sectoral conditions set out below:

- LGAs identify their priorities and strategies within national policies and will split the allocations between PE and OC;
- The LGAs will, prior to Council approval and as required by the Local Government Finances, Act No. 9 of 1982, consult with the Regional Secretariats (RS) to ensure that the Government priorities as specified in sector policies and conditionalities have been met in the budget;
- Following the consultation and any amendments required, LGAs will finalise their budgets and submit to council two months before the beginning of the financial year as required by the law, for approval;
- LGAs will send their budgets to MoF through the RS for inclusion in the Central Government Budget; and
- In the instance of an upward or downward revision of the block grant envelope after the issuance of these Guidelines, the amount of the reduction will be applied to the budget envelope in total and the allocations redistributed according to the formulae, and the LGAs' budget will be revised accordingly and approved by the Council in October/November 2005, i.e. six months from the date of approval of the annual budget.

The General Purpose Grant (GPG)

94. The General Purpose Grant has hitherto been allocated to councils according to a formula that reflects the past revenue collection performance of the individual councils. The formula to be used will be 70% for population, 20% for poverty count and 10% for land area. It is stipulated that, this grant should be budgeted and expended for use by

villages/Mitaa, either in the form of cash transfers or indicative planning figures, depending on the level of financial management capacity.

Development Grant

95. LGAs will receive Development Funds from three main sources:
- The Local Government Capital Development Grant (LGCDG) system.
 - TASAF II.
 - Sectoral Programmes in Education, Health, Water etc.
- Funds from these sources will be geared towards financing approved comprehensive Council Development Plans.

Local Government Development Grant (LGDG)

96. The LGDG is available for those councils that have not met the conditions of access for CDG, but are able to meet the less strict conditions of access for the LGDG, and will be distributed amongst them according to the same formula as that for the CDG. Details will be shown in the Guidelines for Preparation of the plans and budgets of LGAs for 2005/06 to be issued by PO –RALG.

CHAPTER EIGHT

INSTITUTIONAL RESPONSIBILITIES

The Role and Responsibility of Accounting Officers

97. The main duties and responsibilities of Accounting Officers regarding budget preparations, as in previous years, remain as follows:
- To give clear guidance on policy priorities.
 - To ascertain that adequate explanation and justification are provided with regard to planned revenues, recurrent and development expenditure;
 - To ensure that the budget estimates are realistic and accurate and include all foreseeable revenues and expenditures;
 - To ensure that proposals for any new service or expansion are supported with explanation and justification, stating objective set, activities involved, expected output and the financial implication; and
 - To ensure that the budget committee function effectively and efficiently.

The Role and Function of the Budget Committee

98. Budget Committee continue to be an important organ in the MDAs for supporting accounting officers in the budget preparation and finalisation process. Accounting Officers should ensure that this organ function as required. Previous years experience has shown that in MDAs where the budget committee were effectively involved in the budget preparation, the output was of high quality.

The composition of the budget committee remains as follows:-

- The Accounting Officer – Chairman
- The Director of Policy and Planning – Secretary
- One member from service division
- Heads of key divisions.

The role and functions of the Budget Committee are as follows:-

- Reviewing plans and budget performance.
- Preparation of sector policy papers.
- Operationalisation of the National Guidelines by preparing specific institutional guidelines in line with MDAs priorities.
- Advising heads of divisions on realistic budgeting that matches resource allocations and expected outputs, formulation of activities that are in line with attainment of institutional objectives and target.
- Co-ordinating the budget work of MDAs and ensuring consistency with MDAs strategic plan, sector policy and the National Strategy for Growth and Poverty Reduction (NSGRP).
- Drawing up programme for preparation, scrutinisation and rationalisation of the budget.
- Consolidating and finalising institutional MTEF by ensuring division budgets consistency with institutional priorities and ceiling, ensuring integration of the revenue, recurrent and development budgets, and preparing budget memorandum.

Monitoring and Evaluation

99. The establishment of a sound and effective Management Information System is basic in monitoring the implementation of NSGRP at all levels. MDAs are required to put in place an effective Management Information System that would provide data on monitoring and measuring NSGRP operational outcomes.

Inter - Sectoral Collaboration

100. The attainment of NSGRP outcomes invariably needs the contribution of various sectors and actors, hence the need for close coordination of sectoral linkages and sharing of information. MDAs are directed to ensure inter-sectoral collaboration in attainment of NSGRP outcomes.

This entails all sectors to move towards modifying their priority sector approach of the PRS into NSGRP priority outcome-based approach. In addition to ensuring inter-sectoral collaboration discussed above, the MDAs ought to ensure full involvement of partners in SWAPs, pooled fund and basket funding arrangement in the view to identifying and disaggregating funds in the NSGRP clusters.

Implementation of the Integrated Human Resource and Payroll System

101. The Integrated Human Resource and Payroll System (IHRPMS) became operational in April 2000. The President's Office, Public Service Management (PO-PSM) and the Ministry of Finance (MoF) manage the system jointly. The main objective of the IHRPMS is to improve human capital management, financial planning and budgeting, as well as to enhance efficiency in delivering monthly payroll. Salary payments are a crucial element of human capital management and therefore need to be well managed. Tight controls will continue to be exercised over payroll spending, including the realignment of the various types of emoluments that exist.
102. This system will also enable the government to pay salaries promptly and regularly. A number of salary-specific initiatives and improvement are being introduced in order to enhance payroll delivery. Treasury Circular No.12 of 2004 has been distributed to all accounting officers on how to process the various Personal Emolument payments and claims. All accounting officers are required to abide to the laid down indicated process and regulation.
103. Deliberate effort should be made during the medium term, to improve integration of staffing levels with financial resource allocations. To this end, MDAs and LGAs are required to provide the necessary inputs for future Plan and Budget Guidelines.

Budget Submission and Forms to be used

104. The estimates will be prepared and submitted in the Medium Term Expenditure Framework (MTEF). The format for presentation of the estimates is as outlined in Part Two of the Guidelines. In addition to the format of presentation of MTEF (Appendix A) the following forms will be used in submitting the budget.

Recurrent

- Form No. 1 – Summary of Annual and Forward budget estimates
- Form No. 2 – Forward Budget – 2005/06 – 2007/08
- Form No. 3(a) – Activity Costing Sheet
- Form No. 3(b) – Recurrent Expenditure Summary of draft Estimates 2005/06
- Form No. 8(a) – Summary of PE Estimates 2005/06 (Existing employees both on and not in the payroll)
- Form No 8(b) – Summary of PE Estimates 2005/06 (Existing employees as per computer payroll)
- Form No. 8(c) – Summary of PE Estimate 2005/06 (Employees not in the computer Payroll)
- Form No. 8(d) – Summary of PE Estimate 2005/06 (new employees to be recruited in 2005/06)
- Form No. 9 – Schedule of PE

Revenue

- Form No. 4 – Recurrent Revenue Forward Budget
- Form No. 5 – Details of annual estimates

Development

- Form No. 6 – Forward Budget – 2005/06 – 2007/08
- Form No. 7 – Estimates of Ministerial Projects Implemented in Regions
- Annex B-2 A – Action Plan for Development (Financial)
- Annex B-3 – Action Plan Development (Physical)
- Annex C-3 – Progress report Development (Mid-Year report)

ANNEX 1A

BUDGET FRAME FOR THE PERIOD 2005/06 – 2007/08

	Mill TShs			
	2004/05 Budget	2005/06 Ceilings	2006/07 Projections	2007/08 Projections
I. TOTAL RESOURCES	3,347,339	4,103,143	4,353,669	4,561,137
Domestic revenue	1,739,288	1,983,125	2,261,168	2,580,582
Programme loan and grants	434,476	822,358	834,392	846,603
Project loans and grants	587,441	788,135	819,840	831,837
Basket Support Loans	109,956	73,281	66,801	2,799
Basket Support Grants	160,488	199,305	197,024	164,680
HIPC relief (IDA, IMF and ADB)	74,664	111,503	98,669	103,454
Non Bank Borrowing	0	0	0	0
Bank Borrowing	231,111	115,018	72,774	31,201
Adjustment to cash	0	0	0	0
Privatisation Funds	10,115	10,420	0	0
II. TOTAL EXPENDITURE	3,347,339	4,103,143	4,353,669	4,561,137
RECURRENT EXPENDITURE	2,255,948	2,744,953	2,932,829	3,174,753
CFS	481,175	556,358	564,805	605,760
Debt service	317,825	298,377	309,048	329,780
Interest	168,438	165,017	177,261	184,006
Amortization	149,387	133,360	131,787	145,774
Others	163,350	257,981	255,757	275,980
Recurrent Exp.(excl. CFS)	1,774,773	2,188,597	2,368,024	2,568,993
w/ Salaries & wages	551,159	681,897	759,344	845,980
Other Charges	1,193,248	1,358,415	1,565,291	1,667,141
Designated Items	30,366	148,285	43,390	55,872
Expenditure Float	-	-	-	-
Payment of Arrears	-	-	-	-
Contingency	-	-	-	-
DEVELOPMENT EXPENDITURE	1,091,591	1,358,190	1,422,840	1,386,404
Local	233,705	297,469	339,175	387,087
Foreign	857,886	1,060,721	1,083,665	999,317

ANNEX 1B

BUDGET FRAME FOR THE PERIOD 2005/06 – 2007/08

	% of GDP			
	2004/05 Budget	2005/06 Ceilings	2006/07 Projections	2007/08 Projections
I. TOTAL RESOURCES	26.6%	28.9%	27.5%	25.9%
Domestic revenue	13.8%	14.0%	14.3%	14.6%
Programme loan and grants	3.5%	5.8%	5.3%	4.8%
Project loans and grants	4.7%	5.5%	5.2%	4.7%
Basket Support Loans	0.9%	0.5%	0.4%	0.0%
Basket Support Grants	1.3%	1.4%	1.2%	0.9%
HIPC relief IDA, IMF and ADB	0.6%	0.8%	0.6%	0.6%
Non Bank Borrowing	0.0%	0.0%	0.0%	0.0%
Bank Borrowing	1.8%	0.8%	0.5%	0.2%
Adjustment to cash	0.0%	0.0%	0.0%	0.0%
Privatisation Funds	0.1%	0.1%	0.0%	0.0%
II. TOTAL EXPENDITURE	26.6%	28.9%	27.5%	25.9%
RECURRENT EXPENDITURE	18.0%	19.3%	18.5%	18.0%
CFS	3.6%	3.9%	3.6%	3.4%
Debt service	2.5%	2.1%	2.0%	1.9%
interest	1.3%	1.2%	1.1%	1.0%
amortization	1.2%	0.9%	0.8%	0.8%
Others	1.3%	1.8%	1.6%	1.6%
Recurrent Exp (excl. CFS)	14.1%	15.4%	15.0%	14.6%
orw Salaries & wages	4.4%	4.8%	4.8%	4.8%
Other Charges	9.5%	9.6%	9.9%	9.5%
Designated Items	0.2%	1.0%	0.3%	0.3%
Expenditure Float & Adj.	0.0%	0.0%	0.0%	0.0%
Payment of Arrears	0.0%	0.0%	0.0%	0.0%
Contingency	0.0%	0.0%	0.0%	0.0%
DEVELOPMENT EXPENDITURE	8.7%	9.6%	9.0%	7.9%
Local	1.9%	2.1%	2.1%	2.2%
Foreign	6.8%	7.5%	6.9%	5.7%

SUMMARY OF NSGRP AND NON-NSGRP REQUIREMENTS AND PROPOSED ALLOCATIONS

(Figures are in Million Tsh)

Vote	Ministry/Department	2005/06						2006/07						2007/08					
		Requirement		Ceiling		TOTAL	Requirement		Ceiling		TOTAL	Requirement		Ceiling		TOTAL			
		NSGRP	NON-NSGRP	NSGRP	NON-NSGRP		NSGRP	NON-NSGRP	NSGRP	NON-NSGRP		NSGRP	NON-NSGRP	NSGRP	NON-NSGRP				
20	State House	0.0	3,508.0	3,508.0	0.0	3,508.0	3,508.0	0.0	3,648.0	3,648.0	0.0	3,648.0	3,648.0	0.0	3,794.0	3,794.0	0.0	3,794.0	3,794.0
22	Public Debt and General Services	0.0	551,082.5	551,082.5	0.0	551,083.0	551,083.0	0.0	559,319.0	559,319.0	0.0	559,319.0	559,319.0	0.0	600,054.8	600,054.8	0.0	600,055.0	600,055.0
23	Accountant General's Department	8,443.5	76,482.2	84,925.8	5,274.0	85,236.5	90,510.5	9,718.8	80,082.7	89,801.5	5,769.0	88,372.1	94,141.1	9,718.8	82,724.0	92,442.7	9,869.0	87,215.0	96,884.0
24	Ministry of Co-operatives and Marketing	3,273.7	3,089.0	6,362.7	3,013.1	2,961.0	5,974.1	3,428.7	3,394.0	6,822.7	8,923.0	3,358.0	12,281.0	3,428.7	3,539.0	6,967.7	8,480.1	2,050.0	10,530.1
25	Prime Minister	0.0	2,278.0	2,278.0	0.0	1,584.0	1,584.0	0.0	2,532.0	2,532.0	0.0	1,831.0	1,831.0	0.0	2,659.0	2,659.0	0.0	1,540.0	1,540.0
26	Vice President	360.0	1,298.8	1,658.8	360.0	1,245.0	1,605.0	480.0	1,317.3	1,797.3	460.0	1,317.0	1,777.0	480.0	1,329.5	1,809.5	459.0	789.9	1,228.9
27	Registrar of Political Parties	347.0	9,678.0	10,025.0	347.0	9,277.0	9,624.0	415.0	10,120.0	10,535.0	375.0	9,715.0	10,090.0	415.0	10,660.0	11,075.0	396.0	11,043.0	11,439.0
28	Ministry of Home Affairs - Police Force	26,800.0	63,900.0	90,700.0	13,800.0	53,640.0	67,440.0	56,550.0	80,750.0	137,300.0	20,010.0	44,705.0	64,715.0	56,550.0	87,660.0	144,210.0	20,482.0	47,316.0	67,798.0
29	Ministry of Home Affairs - Prison Services	47,291.0	34,978.0	82,269.0	10,084.0	23,354.0	33,438.0	77,108.0	44,430.6	121,536.6	10,249.2	29,812.1	40,061.3	77,106.0	55,160.4	132,268.4	31,882.0	31,924.0	63,806.0
30	President's Office and Cabinet Secretariat	31,236.9	67,428.4	98,665.3	54,042.7	60,085.0	114,127.7	31,495.0	71,184.1	102,679.1	71,888.9	60,849.4	132,738.3	31,495.0	75,127.3	106,622.3	32,835.5	72,321.0	105,156.5
31	Vice President's Office	12,215.0	21,922.5	34,137.5	22,380.8	15,111.0	37,471.6	11,907.0	22,747.5	34,654.5	12,535.2	15,568.0	28,103.2	11,907.0	23,075.0	34,982.0	8,319.9	11,349.0	19,668.9
32	President's Office - Public Service Management	26,028.0	38,345.0	64,373.0	50,205.4	4,965.0	55,170.4	27,969.0	38,761.0	66,750.0	29,310.1	6,348.0	35,658.1	27,969.0	37,232.0	65,201.0	13,147.7	3,333.0	16,480.7
33	Ethics Secretariat	63.0	1,246.7	1,309.7	63.0	937.0	1,000.0	61.0	1,092.5	1,153.5	59.0	1,900.0	1,959.0	61.0	1,099.0	1,160.0	48.0	1,449.0	1,497.0
34	Ministry of Foreign Affairs and International Co-operation	1,430.0	33,551.0	34,981.0	1,430.0	34,551.0	35,981.0	2,660.0	44,588.0	47,268.0	1,995.0	36,518.3	40,513.3	2,680.0	56,463.0	59,143.0	2,192.0	44,393.0	46,585.0
37	Prime Minister's Office	203.0	29,134.6	29,337.6	203.0	22,262.6	22,465.6	249.0	30,061.0	30,310.0	212.0	20,607.9	20,819.9	249.0	30,097.0	30,346.0	202.0	23,328.0	23,530.0
38	Defence	4,000.0	102,680.0	106,680.0	3,800.0	76,748.0	80,348.0	4,577.0	106,583.0	111,160.0	3,402.0	89,396.0	92,800.0	4,577.0	109,770.0	114,347.0	3,361.0	86,301.0	89,662.0
39	National Service	2,100.0	53,000.0	55,100.0	1,100.0	19,907.0	21,007.0	4,200.0	79,500.0	83,700.0	1,800.0	24,450.0	26,050.0	4,200.0	102,000.0	106,200.0	2,067.0	27,859.0	29,928.0
40	Judiciary	24,946.9	18,999.3	43,946.2	17,598.0	4,826.0	22,224.0	30,963.0	18,366.9	49,376.9	20,282.0	6,415.0	26,697.0	30,963.0	19,316.6	50,299.6	17,983.0	1,441.0	19,424.0
41	Ministry of Justice and Constitutional Affairs	16,306.0	615.0	16,921.0	19,063.1	590.0	19,673.1	27,161.0	615.0	27,776.0	19,667.8	615.0	20,282.8	27,161.0	665.0	27,826.0	24,126.1	385.0	24,511.1
42	Office of the Speaker	500.0	21,964.1	22,464.1	500.0	16,301.0	16,801.0	700.0	36,966.9	36,366.9	550.0	25,372.7	25,922.7	700.0	61,062.4	61,762.4	501.0	27,638.0	28,139.0

Vote	Ministry/Department	2005/06						2006/07						2007/08					
		Requirement		Ceiling		TOTAL	Requirement		Ceiling		TOTAL	Requirement		Ceiling		TOTAL			
		NSGRP	NON-NSGRP	NSGRP	NON-NSGRP		NSGRP	NON-NSGRP	NSGRP	NON-NSGRP		NSGRP	NON-NSGRP	NSGRP	NON-NSGRP				
43	Ministry of Agriculture and Food Security	153,550.8	7,157.0	160,707.8	99,895.0	2,519.0	102,414.0	155,087.8	7,182.0	162,269.8	122,009.5	2,506.0	124,515.5	155,087.8	7,224.0	162,311.8	117,697.1	3,699.0	121,396.1
44	Ministry of Industries and Trade	33,399.0	7,460.0	40,859.0	9,149.0	308.0	9,457.0	29,259.0	7,528.0	36,787.0	13,027.4	713.1	13,740.5	29,259.0	9,140.0	38,399.0	11,102.0	3,254.0	14,356.0
45	Exchequer and Audit Department	5,299.7	3,103.0	8,402.7	4,013.0	2,974.0	6,987.0	2,554.7	919.6	3,474.3	860.1	5,423.0	6,283.1	2,554.7	857.0	3,411.7	651.0	2,306.0	2,957.0
46	Ministry of Education and Culture	395,994.0	820.0	396,814.0	188,425.8	192.0	188,617.8	401,352.0	820.0	402,172.0	193,823.9	200.8	194,024.6	401,352.0	820.0	402,172.0	337,825.0	185.0	337,810.0
47	Ministry of Works	434,283.0	67,634.0	501,917.0	215,913.0	30,324.0	246,237.0	614,445.0	89,470.0	703,915.0	142,258.4	69,212.9	211,471.3	614,445.0	91,184.0	705,629.0	436,200.7	79,936.0	516,136.7
48	Ministry of Lands and Human Settlements Development	7,678.0	5,512.0	13,190.0	2,809.0	3,466.0	6,275.0	7,615.0	5,178.0	12,791.0	2,095.1	3,811.9	5,907.0	7,615.0	5,554.0	13,169.0	4,713.0	2,936.0	7,649.0
49	Ministry of Water and Livestock Development	260,056.0	7,880.0	267,936.0	139,103.0	3,183.0	142,286.0	219,895.0	9,155.0	229,050.0	59,918.0	3,662.0	63,580.0	219,895.0	9,795.0	229,690.0	74,939.4	5,671.0	80,610.4
50	Ministry of Finance	90,530.6	15,313.5	105,844.1	92,873.7	12,190.0	104,883.7	99,785.5	17,096.0	116,861.5	84,054.8	10,182.8	94,237.6	99,785.5	17,129.0	116,894.5	93,409.7	6,299.0	99,708.7
51	Ministry of Home Affairs	1,183.0	8,098.5	9,281.5	1,135.5	2,129.0	3,264.5	1,491.6	5,681.1	7,172.7	1,082.6	2,784.0	3,866.6	1,491.6	6,033.1	7,524.7	1,387.0	1,871.0	3,258.0
52	Ministry of Health	344,194.5	10,831.8	355,026.1	262,781.6	3,274.0	266,035.6	500,826.4	12,554.1	513,380.5	339,234.6	3,941.1	343,175.6	500,826.4	20,219.1	521,045.5	302,921.1	1,770.0	304,691.1
53	Ministry of Community Development, Gender and Children	29,268.0	4,062.2	33,330.2	4,860.0	1,641.0	6,501.0	23,763.0	3,988.6	27,751.6	3,911.4	3,795.0	7,706.4	23,763.0	3,998.4	27,761.4	13,214.0	2,314.0	15,528.0
55	Commission for Human Rights and Good Governance	2,355.0	195.0	2,550.0	1,885.0	187.0	2,072.0	2,485.0	225.0	2,710.0	1,952.0	216.0	2,168.0	2,485.0	245.0	2,730.0	2,183.0	143.0	2,326.0
56	President's Office - Regional Administration and Local Government	489,139.0	830.0	489,969.0	125,996.0	716.0	126,412.0	343,755.0	285.0	344,040.0	93,363.0	285.0	93,648.0	343,755.0	190.0	343,945.0	96,236.0	110.0	96,346.0
57	Ministry of Defense and National Service	4,610.0	140,411.0	145,021.0	863.0	46,724.0	47,587.0	5,182.0	144,351.0	149,533.0	842.0	2,802.5	3,644.5	5,182.0	148,011.0	153,193.0	688.0	47,974.0	48,662.0
58	Ministry of Energy and	22,490.0	121,809.4	144,299.4	135,280.0	25,974.0	161,234.0	2,759.0	73,138.0	75,897.0	95,700.8	55,955.7	151,656.5	2,759.0	72,399.0	75,158.0	10,464.5	72,962.1	83,426.6
59	Law Reform Commission	136.0	519.0	655.0	136.0	498.0	634.0	140.0	813.0	953.0	122.0	780.0	902.0	140.0	965.0	1,125.0	111.0	570.0	681.0
60	Industrial Court of Tanzania	107.0	1,081.0	1,198.0	47.0	1,133.5	1,180.5	61.0	829.0	890.0	51.0	1,050.0	1,101.0	61.0	482.0	543.0	37.0	682.0	719.0
61	Election Commission	9.7	31,268.4	31,278.0	10.0	31,268.0	31,278.0	15.0	2,856.5	2,871.5	12.0	2,857.0	2,869.0	15.0	3,644.5	3,659.5	11.0	2,111.0	2,122.0
62	Ministry of Communication and Transport	15,756.0	26,475.0	42,231.0	9,066.0	31,700.0	40,786.0	18,805.0	28,182.0	46,987.0	9,485.0	31,147.0	40,632.0	18,805.0	29,748.0	48,553.0	15,397.0	34,846.0	50,243.0
64	Commercial Court	1,410.0	0.0	1,410.0	1,210.0	0.0	1,210.0	2,290.0	0.0	2,290.0	1,203.5	0.0	1,203.5	2,290.0	0.0	2,290.0	1,247.9	0.0	1,247.9
65	Ministry of Labour, Youth Development and Sports	58,322.0	3,147.0	61,469.0	6,314.0	34,667.0	40,981.0	51,481.0	4,399.0	55,880.0	12,362.8	16,567.8	28,930.6	51,481.0	4,904.0	56,385.0	15,029.0	12,510.0	27,539.0

Vote	Ministry/Department	2005/06						2006/07						2007/08					
		Requirement		Ceiling		TOTAL	Requirement		Ceiling		TOTAL	Requirement		Ceiling		TOTAL			
		NSGRP	NON-NSGRP	NSGRP	NON-NSGRP		NSGRP	NON-NSGRP	NSGRP	NON-NSGRP		NSGRP	NON-NSGRP	NSGRP	NON-NSGRP				
66	President's Office - Planning and Privatization	10,294.5	9,097.9	19,392.4	15,828.9	21,219.7	36,848.8	14,054.9	8,828.1	22,883.1	15,060.3	20,126.8	35,187.1	14,054.9	9,732.5	23,787.5	13,369.9	14,639.0	28,008.9
88	Ministry of Science, Technology and Higher Education	12,705.0	112,860.0	125,565.0	9,385.0	78,154.8	87,539.8	21,977.0	200,812.0	222,589.0	10,120.0	105,741.9	115,862.0	21,977.0	234,507.0	256,484.0	9,434.0	110,570.5	120,004.5
69	Ministry of Natural Resources and Tourism	19,205.2	36,557.1	55,762.3	7,447.0	44,675.0	52,122.0	34,706.9	43,162.8	77,869.7	8,009.2	43,720.8	51,730.0	34,706.9	132,517.9	187,224.8	8,465.0	38,581.6	47,026.6
90	Land Court	397.4	121.0	518.4	397.0	116.0	513.0	422.2	150.0	572.2	404.0	129.0	533.0	422.2	160.0	582.2	215.0	93.0	308.0
91	Anti Drug Commission	975.0	480.0	1,455.0	496.0	480.0	956.0	1,500.0	530.0	2,030.0	590.0	456.0	1,046.0	1,500.0	580.0	2,080.0	747.0	336.0	1,083.0
92	TACAIDS (Tanzania Commission for AIDS)	12,720.0	10,333.0	23,053.0	52,982.0	882.0	53,864.0	12,365.0	9,264.0	21,629.0	62,258.0	1,310.0	63,568.0	12,365.0	9,188.0	21,553.0	40,359.3	2,641.0	43,000.3
93	Immigration Department	2,750.0	8,127.0	10,877.0	1,050.0	4,032.0	5,082.0	2,779.0	8,210.0	10,989.0	1,054.0	5,044.0	6,098.0	2,779.0	8,289.0	11,048.0	2,647.0	4,788.0	7,435.0
94	Public Service Commission	2,359.1	3,620.0	5,979.0	1,280.0	3,738.0	4,998.0	3,125.9	3,814.2	6,940.0	1,365.0	3,680.0	5,045.0	3,125.9	3,564.5	6,690.4	2,868.0	2,354.0	5,222.0
Total		2,818,721.5	1,779,944.8	4,598,716.3	1,582,855.3	1,378,317.1	2,968,272.4	2,863,841.3	1,824,028.5	4,787,869.8	1,483,518.6	1,436,221.8	2,913,740.5	2,863,841.3	2,184,588.8	5,058,218.3	1,789,328.8	1,541,836.0	3,331,156.8

SUMMARY OF PROPOSED ALLOCATIONS FOR MINISTRIES/DEPARTMENTS (OTHER CHARGES AND DEVELOPMENT) PER CLUSTER

(Figures are in Million Tsh)

Vote	Ministry/Department	Cluster 1: Growth and Income Poverty Reduction			Cluster 2: Improvement of Quality of Life and Social Well Being			Cluster 3: Governance and Accountability		
		2005/06	2006/07	2007/08	2005/06	2006/07	2007/08	2005/06	2006/07	2007/08
23	Accountant General's Department	5,000.0	5,472.0	9,418.0	10.0	11.0	8.0	264.0	286.0	243.0
24	Ministry of Co-operatives and Marketing	2,453.1	8,488.1	7,969.1	90.0	105.0	86.0	470.0	495.0	405.0
26	Vice President	180.0	230.0	229.0				180.0	230.0	230.0
27	Registrar of Political Parties	75.0	80.0	95.0	12.0	15.0	14.0	260.0	280.0	287.0
28	Ministry of Home Affairs - Police Force	300.0	400.0	499.0	500.0	600.0	501.0	13,000.0	19,010.0	19,482.0
29	Ministry of Home Affairs - Prison Services	300.0	400.0	300.0	117.0	127.0	99.0	9,667.0	13,088.0	31,483.0
30	President's Office and Cabinet Secretariat	25.0	25.0	26.0	200.0	200.0	143.0	53,817.7	73,601.4	32,666.5
31	Vice President's Office	862.0	919.0	970.0	21,486.6	12,345.1	7,349.9	0.0	0.0	0.0
32	President's Office - Public Service Management	0.0	0.0	0.0	140.0	85.0	61.0	50,065.4	29,616.3	13,066.7
33	Ethics Secretariat	18.0	16.0	19.0	13.0	14.0	10.0	32.0	29.0	19.0
34	Ministry of Foreign Affairs and International Co-operation	350.0	510.0	710.0	645.0	980.0	994.0	435.0	505.0	488.0
37	Prime Minister's Office	40.0	50.0	54.0	113.0	127.0	119.0	50.0	35.0	29.0
38	Defence	800.0	832.0	856.0	1,500.0	1,560.0	1,142.0	1,300.0	1,010.0	1,363.0
39	National Service	500.0	700.0	901.0	500.0	800.0	715.0	100.0	100.0	451.0
40	Judiciary	674.0	702.0	1,838.0	812.0	900.0	679.0	16,112.0	21,777.0	15,466.0
41	Ministry of Justice and Constitutional Affairs	155.0	175.0	1,031.0	190.0	245.0	193.0	18,738.1	19,697.1	22,902.1
42	Office of the Speaker				500.0	550.0	501.0			
43	Ministry of Agriculture and Food Security	99,115.0	128,323.0	118,659.1	302.0	343.0	418.0	478.0	603.0	620.0
44	Ministry of Industries and Trade	8,819.0	12,984.5	10,823.0	60.0	62.0	48.0	270.0	307.0	231.0
45	Exchequer and Audit Department	1,583.0	861.0	409.0				2,420.0	222.0	242.0
46	Ministry of Education and Culture	655.0	655.0	655.0	187,060.8	196,990.5	336,474.0	710.0	710.0	496.0
47	Ministry of Works	196,825.0	255,699.0	421,901.7	16,796.0	14,760.0	13,971.0	290.0	373.0	326.0
48	Ministry of Lands and Human Settlements Development	780.0	800.0	830.0	1,674.0	1,951.0	3,534.0	355.0	423.0	349.0
49	Ministry of Water and Livestock Development	6,575.0	10,813.0	11,966.0	132,336.0	112,322.5	62,901.4	190.0	215.0	172.0
50	Ministry of Finance	67,962.6	63,665.8	74,769.7	142.0	153.0	113.0	24,569.1	22,206.6	16,527.0

Vote	Ministry/Department	Cluster 1: Growth and Income Poverty Reduction			Cluster 2: Improvement of Quality of Life and Social Well Being			Cluster 3: Governance and Accountability		
		2005/06	2006/07	2007/08	2005/06	2006/07	2007/08	2005/06	2006/07	2007/08
51	Ministry of Home Affairs	441.0	484.0	705.0	509.5	418.0	481.0	185.0	230.0	201.0
52	Ministry of Health	150.0	155.0	161.0	282,611.6	344,508.1	302,760.1			
53	Ministry of Community Development, Gender and Children	1,667.0	1,981.0	9,099.0	1,936.0	1,919.0	2,744.0	1,257.0	1,011.0	1,371.0
55	Commission for Human Rights and Good Governance	950.0	957.0	1,454.0	30.0	35.0	29.0	905.0	990.0	700.0
56	President's Office - Regional Administration and Local Government	24,585.0	26,385.0	24,461.0	3,085.0	3,331.0	21,240.0	98,026.0	65,011.0	50,535.0
57	Ministry of Defense and National Service	240.0	265.0	265.0	430.0	370.0	313.0	193.0	207.0	110.0
58	Ministry of Energy and Minerals	135,250.0	101,141.5	10,459.5	10.0	6.0	5.0			
59	Law Reform Commission	38.0	44.0	57.0	40.0	42.0	31.0	58.0	36.0	23.0
60	Industrial Court of Tanzania	0.0	0.0	0.0	11.0	17.0	12.0	36.0	34.0	25.0
61	Electoral Commission				10.0	12.0	11.0			
62	Ministry of Communication and Transport	7,000.0	7,025.0	13,178.0	960.0	1,115.0	872.0	1,126.0	1,345.0	1,349.0
64	Commercial Court	100.0	50.0	201.0	25.0	35.0	36.0	1,085.0	1,218.5	1,010.9
65	Ministry of Labour, Youth Development and Sports	2,117.0	4,201.0	4,411.0	2,815.0	6,492.0	9,169.0	1,382.0	1,723.0	1,449.0
66	President's Office - Planning and Privatization	15,410.9	15,415.0	13,189.9	105.0	113.0	85.0	113.0	121.0	95.0
68	Ministry of Science, Technology and Higher Education	4,503.0	4,866.0	5,610.0	4,192.0	4,612.0	3,153.0	690.0	716.0	671.0
69	Ministry of Natural Resources and Tourism	6,073.0	6,814.0	7,089.0	926.0	1,015.0	709.0	448.0	518.0	667.0
90	Land Court	57.0	60.0	59.0	27.0	27.0	19.0	313.0	317.0	137.0
91	Anti Drug Commission	50.0	30.0	40.0	5.0	5.0	4.0	441.0	555.0	703.0
92	TACAIDS (Tanzania Commission for AIDS)	78.0	46.0	45.0	52,839.0	62,170.0	40,283.3	65.0	42.0	31.0
93	immigration Department	580.0	571.0	2,285.0	140.0	142.0	103.0	330.0	341.0	259.0
94	Public Service Commission	200.0	218.0	1,885.0	671.0	733.0	622.0	389.0	414.0	381.0
Total		365,546.5	663,506.8	757,591.0	696,593.5	771,363.2	812,755.7	300,815.3	279,620.9	219,264.1

Recurrent Expenditure by MDAs, Regions, and LGAs

(Figures are in Million Tsh)

MDA

Vote	Description	2004/05 Budget			2005/06 Ceiling			2006/07 Projection			2007/08 Projection		
		OC	PE	Parastatal PE	OC	PE	Parastatal PE	OC	PE	Parastatal PE	OC	PE	Parastatal PE
20	State House	3,373	791	0	3,508	822	0	3,648	855	0	3,794	889	0
	<i>o/w NSGRP</i>				0			0			0		
22	Public Debt and General Services	476,103	908	0	551,083	945	0	559,319	983	0	600,055	1,022	0
	<i>o/w NSGRP</i>				0			0			0		
23	Accountant General's Department	69,985	1,297	0	76,576	1,349	0	81,620	1,403	0	91,582	1,459	0
	<i>o/w NSGRP</i>				5,274			5,789			9,899		
24	Ministry of Co-operatives and Marketing	4,163	425	2,748	5,686	442	2,830	6,158	480	2,943	4,242	478	3,061
	<i>o/w NSGRP</i>				2,726			2,800			2,192		
25	Prime Minister	1,023	137	0	1,584	143	0	1,831	149	0	1,540	155	0
	<i>o/w NSGRP</i>				0			0			0		
26	Vice President	1,299	185	0	1,605	192	0	1,777	200	0	1,229	208	0
	<i>o/w NSGRP</i>				380			480			459		
27	Registrar of Political Parties	8,613	81	0	9,624	84	0	10,090	88	0	11,439	91	0
	<i>o/w NSGRP</i>				347			375			398		
28	Ministry of Home Affairs - Police Force	49,501	32,040	0	62,140	33,823	0	64,516	35,176	0	61,398	36,583	0
	<i>o/w NSGRP</i>				13,800			20,010			20,482		
29	Ministry of Home Affairs - Prison Services	25,612	13,976	0	30,538	16,452	0	39,907	17,110	0	57,411	17,796	0
	<i>o/w NSGRP</i>				7,184			10,129			26,887		
30	President's Office and Cabinet Secretariat	57,994	405	0	59,110	421	0	61,631	438	0	70,602	455	0
	<i>o/w NSGRP</i>				1,026			856			781		
31	Vice President's Office	16,579	378	358	16,933	393	409	17,551	409	425	10,827	425	442
	<i>o/w NSGRP</i>				1,822			2,009			1,451		
32	President's Office - Public Service Management	4,091	912	0	5,130	948	0	6,461	986	0	3,417	1,026	0
	<i>o/w NSGRP</i>				186			113			84		
33	Ethics Secretariat	583	108	0	1,000	112	0	1,969	117	0	1,497	121	0
	<i>o/w NSGRP</i>				63			89			46		

MDA

Vote	Description	2004/05 Budget			2005/06 Ceiling			2006/07 Projection			2007/08 Projection		
		OC	PE	Parastatal PE	OC	PE	Parastatal PE	OC	PE	Parastatal PE	OC	PE	Parastatal PE
34	Ministry of Foreign Affairs and International Co-operation	32,094	1,153	346	35,981	1,268	364	40,513	1,319	379	46,576	1,371	394
	o/w NSGRP				1,430			1,996			2,192		
37	Prime Minister's Office	11,794	922	1,852	13,833	969	2,276	14,309	997	2,367	12,980	1,037	2,461
	o/w NSGRP				203			212			202		
38	Defence	71,618	65,016	0	80,348	68,040	0	92,800	70,761	0	89,862	73,592	0
	o/w NSGRP				3,600			3,402			3,361		
39	National Service	16,967	10,594	0	21,007	11,847	0	25,650	12,320	0	26,926	12,813	0
	o/w NSGRP				1,100			1,800			2,067		
40	Judiciary	11,454	7,251	267	19,224	7,618	311	26,678	7,923	324	16,041	8,240	337
	o/w NSGRP				14,598			20,263			14,600		
41	Ministry of Justice and Constitutional Affairs	4,522	814	0	6,196	931	0	6,947	969	0	10,195	1,007	0
	o/w NSGRP				5,806			6,332			9,610		
42	Office of the Speaker	13,057	3,683	0	15,861	3,942	0	25,893	4,100	0	27,189	4,264	0
	o/w NSGRP				500			560			501		
43	Ministry of Agriculture and Food Security	28,534	4,527	1,915	45,594	4,805	1,867	62,293	4,997	1,941	62,310	5,197	2,019
	o/w NSGRP				43,075			60,788			58,661		
44	Ministry of Industries and Trade	3,183	583	3,697	7,931	585	4,342	12,448	609	4,516	11,686	633	4,697
	o/w NSGRP				7,623			11,746			9,432		
45	Exchequer and Audit Department	3,999	1,144	0	5,486	1,190	0	5,717	1,237	0	2,619	1,267	0
	o/w NSGRP				2,482			284			313		
46	Ministry of Education and Culture	19,773	29,989	3,049	26,577	35,739	3,670	30,360	37,169	3,713	23,264	38,856	3,861
	o/w NSGRP				26,386			30,180			23,148		
47	Ministry of Works	54,909	2,553	4,638	61,267	2,666	4,924	68,246	2,761	5,121	88,780	2,871	5,326
	o/w NSGRP				30,843			34,114			52,867		
48	Ministry of Lands and Human Settlements Development	3,849	1,670	172	5,275	2,360	204	5,886	2,475	212	4,466	2,574	221
	o/w NSGRP				1,809			2,079			2,030		
49	Ministry of Water and Livestock Development	14,366	5,271	0	19,169	6,105	0	25,000	6,349	0	21,868	6,603	0
	o/w NSGRP				15,986			21,336			16,217		
50	Ministry of Finance	143,279	1,325	1,911	84,809	1,378	2,290	88,117	1,433	2,382	81,176	1,490	2,477
	o/w NSGRP				74,619			77,978			76,077		

MDA

Vote	Description	2004/05 Budget			2005/06 Ceiling			2006/07 Projection			2007/08 Projection		
		OC	PE	Parastatal PE	OC	PE	Parastatal PE	OC	PE	Parastatal PE	OC	PE	Parastatal PE
51	Ministry of Home Affairs	2,221	788	0	3,012	799	0	3,866	831	0	3,178	864	0
	o/w NSGRP				883			1,082			1,307		
52	Ministry of Health	71,706	5,443	27,316	127,997	6,023	28,735	187,455	6,264	29,884	232,687	6,514	31,079
	o/w NSGRP				124,713			183,523			231,717		
53	Ministry of Community Development, Gender and Children	2,296	1,826	0	5,201	1,920	0	7,696	1,997	0	14,177	2,077	0
	o/w NSGRP				3,880			3,801			11,863		
54	Radio Tanzania	0	0	0	0	0	0	0	0	0	0	0	0
	o/w NSGRP				0			0			0		
55	Commission for Human Rights and Good Governance	1,695	568	0	2,072	581	0	2,168	604	0	2,326	628	0
	o/w NSGRP				1,886			1,952			2,163		
56	President's Office - Regional Administration and Local Government	28,462	6,560	1,582	34,361	6,577	1,918	36,039	6,841	1,995	51,939	7,114	2,074
	o/w NSGRP				33,686			35,754			51,829		
57	Ministry of Defense and National Service	2,214	253	2,488	2,577	270	2,755	2,811	281	2,865	3,652	292	2,980
	o/w NSGRP				863			842			688		
58	Ministry of Energy and Minerals	131,440	1,105	491	26,113	1,149	510	28,730	1,195	531	32,619	1,243	552
	o/w NSGRP				138			142			143		
59	Law Reform Commission	411	91	0	834	97	0	902	101	0	881	105	0
	o/w NSGRP				136			122			111		
60	Industrial Court of Tanzania	410	104	0	449	73	0	460	76	0	599	79	0
	o/w NSGRP				47			51			37		
61	Electional Commission	30,003	133	0	31,278	155	0	2,899	161	0	2,122	168	0
	o/w NSGRP				10			12			11		
62	Ministry of Communication and Transport	19,260	446	3,353	22,986	470	3,570	23,532	489	3,713	27,043	509	3,881
	o/w NSGRP				8,086			8,485			15,397		
64	Commercial Court	636	77	0	700	80	0	755	83	0	773	86	0
	o/w NSGRP				700			755			773		
65	Ministry of Labour, Youth Development and Sports	3,524	1,838	433	7,300	2,259	496	13,780	2,350	515	15,241	2,444	536
	o/w NSGRP				6,314			12,362			12,902		
66	President's Office - Planning and Privatization	5,942	488	1,623	8,735	474	1,862	8,774	493	1,718	8,752	512	1,786
	o/w NSGRP				1,057			1,202			1,142		

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MDA

Vote	Description	2004/05 Budget			2005/06 Ceiling			2006/07 Projection			2007/08 Projection		
		OC	PE	Parastatal PE	OC	PE	Parastatal PE	OC	PE	Parastatal PE	OC	PE	Parastatal PE
67	Teachers' Service Commission	0	0	0	0	0	0	0	0	0	0	0	0
	<i>o/w NSGRP</i>				0			0			0		
68	Ministry of Science, Technology and Higher Education	42,313	841	27,131	62,139	878	32,152	99,164	913	33,438	84,146	950	34,776
	<i>o/w NSGRP</i>				9,375			10,119			9,344		
69	Ministry of Natural Resources and Tourism	19,352	6,502	2,298	20,728	6,762	2,397	24,356	7,033	2,493	27,161	7,314	2,592
	<i>o/w NSGRP</i>				7,347			8,008			8,161		
90	Land Court	410	49	0	513	51	0	533	53	0	308	56	0
	<i>o/w NSGRP</i>				397			404			215		
91	Anti Drug Commission	588	51	0	856	53	0	1,046	55	0	1,083	57	0
	<i>o/w NSGRP</i>				496			590			747		
92	TACAIDS (Tanzania Commission for AIDS)	3,852	496	0	4,053	516	0	4,348	536	0	4,529	558	0
	<i>o/w NSGRP</i>				3,171			3,036			1,388		
93	Immigration Department	4,605	2,737	0	5,082	2,840	0	6,098	2,960	0	7,435	3,078	0
	<i>o/w NSGRP</i>				1,060			1,054			2,547		
94	Public Service Commission	4,468	1,929	0	4,853	1,477	0	5,045	1,536	0	5,222	1,598	0
	<i>o/w NSGRP</i>				1,260			1,365			2,868		
Total	MDA	1,327,932	228,310	87,486	1,644,724	239,078	97,571	1,847,730	248,641	101,474	1,979,964	258,587	105,533
Total (Excluding CFS)		1,848,458	218,811	87,486	1,098,133	237,311	97,571	1,294,783	246,883	101,474	1,376,115	256,676	105,533
	<i>o/w NSGRP</i>				469,038			590,190			691,201		
	% <i>o/w NSGRP</i>				43.03%			45.94%			50.23%		

REGION

Vote	Description	2004/05 Budget			2006/06 Ceiling			2006/07 Projection			2007/08 Projection		
		OC	PE	Parastatal PE	OC	PE	Parastatal PE	OC	PE	Parastatal PE	OC	PE	Parastatal PE
70	Arusha Region	704	1,099	0	791	1,155	0	894	1,202	0	1,010	1,250	0
71	Coast Region	665	550	0	743	579	0	839	602	0	948	626	0
72	Dodoma Region	679	1,083	0	764	1,118	0	863	1,162	0	976	1,209	0
73	Iringa Region	727	1,133	0	813	1,191	0	918	1,239	0	1,037	1,268	0
74	Kigoma Region	819	722	0	916	760	0	1,036	790	0	1,170	822	0
75	Kilimanjaro Region	693	697	0	781	733	0	882	762	0	997	793	0
76	Lindi Region	574	786	0	642	827	0	725	860	0	819	994	0
77	Mara Region	573	1,143	0	646	1,201	0	729	1,250	0	824	1,299	0
78	Mbeya Region	816	771	0	913	811	0	1,031	843	0	1,166	877	0
79	Morogoro Region	901	1,318	0	995	1,386	0	1,124	1,441	0	1,271	1,499	0
80	Mtwara Region	608	792	0	687	832	0	776	866	0	877	900	0
81	Mwanza Region	841	1,087	0	945	1,143	0	1,068	1,189	0	1,207	1,237	0
82	Ruvuma Region	752	931	0	847	979	0	957	1,018	0	1,082	1,068	0
83	Sinyanga Region	641	906	0	838	955	0	1,080	994	0	1,198	1,033	0
84	Singida Region	538	732	0	601	769	0	678	800	0	967	632	0
85	Tabora Region	734	888	0	825	933	0	931	971	0	1,053	1,009	0
86	Tanga Region	778	1,070	0	873	1,125	0	986	1,170	0	1,114	1,217	0
87	Kagera Region	777	1,038	0	870	1,089	0	983	1,133	0	1,111	1,178	0
88	Dar es Salaam Region	766	365	0	842	373	0	951	388	0	1,074	403	0
89	Rukwa Region	676	764	0	765	803	0	864	836	0	977	869	0
95	Manyara Region	715	455	0	802	478	0	906	497	0	1,024	517	0
Total	REGION	15,175	18,288	0	17,288	19,241	0	19,488	20,818	0	21,908	20,811	0

LGA

Vote	Description	2004/05 Budget			2006/06 Ceiling			2006/07 Projection			2007/08 Projection		
		OC	PE	Parastatal PE	OC	PE	Parastatal PE	OC	PE	Parastatal PE	OC	PE	Parastatal PE
	Total LGA	105,217	281,551	0	154,000	320,000	0	160,180	332,800	0	166,566	346,112	0
Total	LGA	105,217	281,551	0	154,000	320,000	0	160,180	332,800	0	166,566	346,112	0

Grand Total		1,648,324	520,159	87,466	1,815,924	578,319	97,571	2,027,290	601,451	101,474	2,188,430	625,510	105,533
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Development Expenditure by MDAs, Regions and Councils

(Figures are in Million Tsh)

MDA	2004/05 Budget		2005/06 Ceiling		2006/07 Projection		2007/08 Projection	
	Dev-Local	Dev-Foreign	Dev - Local	Dev - Foreign	Dev - Local	Dev - Foreign	Dev - Local	Dev - Foreign
20 State House	0	0	0	0	0	0	0	0
o/w NSGRP			0	0	0	0	0	0
22 Public Debt and General Services	0	0	0	0	0	0	0	0
o/w NSGRP			0	0	0	0	0	0
23 Accountant General's Department	219	11,081	219	13,716	219	12,519	219	5,083
o/w NSGRP			0	0	0	0	0	0
24 Ministry of Co-operatives and Marketing	169	3,898	169	119	169	6,119	169	6,119
o/w NSGRP			169	119	169	6,119	169	6,119
25 Prime Minister	0	0	0	0	0	0	0	0
o/w NSGRP			0	0	0	0	0	0
26 Vice President	0	0	0	0	0	0	0	0
o/w NSGRP			0	0	0	0	0	0
27 Registrar of Political Parties	0	0	0	0	0	0	0	0
o/w NSGRP			0	0	0	0	0	0
28 Ministry of Home Affairs - Police Force	5,300	0	5,300	0	5,800	0	6,400	0
o/w NSGRP			0	0	0	0	0	0
29 Ministry of Home Affairs - Prison Services	2,900	0	2,900	0	4,478	0	6,395	0
o/w NSGRP			2,900	0	3,486	0	5,185	0
30 President's Office and Cabinet Secretariat	3,000	31,331	4,000	51,018	4,350	70,971	4,500	30,054
o/w NSGRP			2,000	51,018	2,000	70,971	2,000	30,054
31 Vice President's Office	672	10,371	1,672	18,867	2,843	10,517	5,182	3,680
o/w NSGRP			1,672	18,867	738	10,517	3,209	3,680
32 President's Office - Public Service Management	400	35,592	400	49,840	400	29,188	0	13,084
o/w NSGRP			400	49,840	400	29,188	0	13,084
33 Ethics Secretariat	0	0	0	0	0	0	0	0
o/w NSGRP			0	0	0	0	0	0

MDA

	2004/05 Budget		2005/06 Ceiling		2006/07 Projection		2007/08 Projection	
	Dev-Local	Dev-Foreign	Dev - Local	Dev - Foreign	Dev - Local	Dev - Foreign	Dev - Local	Dev - Foreign
34 Ministry of Foreign Affairs and International Co-operation	0	0	0	0	70	0	9	0
37 Prime Minister's Office	1,700	10,319	2,000	6,533	2,200	6,473	5,200	5,350
38 Defence	0	0	0	0	0	0	0	0
39 National Service	0	0	0	0	2,000	0	3,000	0
40 Judiciary	2,700	0	3,000	0	3,116	0	3,383	0
41 Ministry of Justice and Constitutional Affairs	300	4,133	400	13,077	460	13,325	721	13,585
42 Office of the Speaker	1,900	0	950	0	950	0	950	0
43 Ministry of Agriculture and Food Security	6,436	22,661	7,440	49,380	7,464	62,067	7,714	51,372
44 Ministry of Industries and Trade	200	1,363	300	1,226	1,180	1,278	1,360	1,310
45 Exchequer and Audit Department	209	1,409	209	1,312	280	529	338	0
46 Ministry of Education and Culture	2,441	103,159	3,000	158,041	3,640	163,626	4,185	310,361
47 Ministry of Works	64,519	98,731	93,670	91,300	138,677	141,916	164,847	262,510
48 Ministry of Lands and Human Settlements Development	600	73	1,000	0	1,295	0	3,183	0
49 Ministry of Water and Livestock Development	31,197	73,373	70,207	52,910	64,379	37,633	50,446	8,276

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MDA

		2004/05 Budget		2005/06 Ceiling		2006/07 Projection		2007/08 Projection	
		Dev-Local	Dev-Foreign	Dev - Local	Dev - Foreign	Dev - Local	Dev - Foreign	Dev - Local	Dev - Foreign
50	Ministry of Finance	2,380	14,161	4,400	15,855	5,200	6,049	5,248	13,285
	o/w NSGRP			2,000	15,855	2,000	6,049	2,048	13,285
51	Ministry of Home Affairs	0	0	80	173	50	0	80	0
	o/w NSGRP			80	173	50	0	80	0
52	Ministry of Health	3,552	87,863	5,000	133,049	6,200	155,840	24,070	47,934
	o/w NSGRP			5,000	133,049	5,500	155,840	23,270	47,934
53	Ministry of Community Development, Gender and Children	600	268	1,300	0	1,010	0	1,351	0
	o/w NSGRP			1,300	0	1,010	0	1,351	0
54	Radio Tanzania	300	0	0	0	0	0	0	0
	o/w NSGRP			0	0	0	0	0	0
55	Commission for Human Rights and Good Governance	0	0	0	0	0	0	0	0
	o/w NSGRP			0	0	0	0	0	0
56	President's Office - Regional Administration and Local Government	270	141,055	1,300	90,731	1,385	57,588	1,570	42,837
	o/w NSGRP			1,300	90,731	1,385	57,588	1,570	42,837
57	Ministry of Defense and National Service	45,010	0	45,010	0	45,010	0	45,010	0
	o/w NSGRP			0	0	0	0	0	0
58	Ministry of Energy and Minerals	5,200	41,888	5,500	129,821	5,744	122,828	5,889	44,939
	o/w NSGRP			5,500	129,821	5,544	95,482	5,519	4,803
59	Law Reform Commission	0	0	0	0	0	0	0	0
	o/w NSGRP			0	0	0	0	0	0
60	Industrial Court of Tanzania	0	252	0	732	0	641	0	120
	o/w NSGRP			0	0	0	0	0	0
61	Electional Commission	0	6,318	0	0	0	0	0	0
	o/w NSGRP			0	0	0	0	0	0
62	Ministry of Communication and Transport	1,850	17,416	2,500	15,300	3,000	17,000	3,200	20,000
	o/w NSGRP			0	0	0	0	0	0
64	Commercial Court	0	153	125	385	125	424	9	468
	o/w NSGRP			125	385	125	424	9	468

MDA

		2004/05 Budget		2005/06 Ceiling		2006/07 Projection		2007/08 Projection	
		Dev-Local	Dev-Foreign	Dev - Local	Dev - Foreign	Dev - Local	Dev - Foreign	Dev - Local	Dev - Foreign
65	Ministry of Labour, Youth Development and Sports	15,000	40,339	10,000	23,681	469	15,184	2,627	9,671
	o/w NSGRP			0	0	54	0	2,127	0
66	President's Office - Planning and Privatization	600	14,098	1,600	26,514	1,600	26,383	1,600	17,657
	o/w NSGRP			600	13,972	600	13,647	600	11,628
67	Teachers' Service Commission	0	0	0	0	0	0	0	0
	o/w NSGRP			0	0	0	0	0	0
68	Ministry of Science, Technology and Higher Education	2,192	11,838	10,401	15,000	11,387	16,544	12,732	13,126
	o/w NSGRP			60	0	75	0	90	0
69	Ministry of Natural Resources and Tourism	1,137	17,834	2,000	29,394	2,497	27,352	3,304	16,562
	o/w NSGRP			100	0	139	0	304	0
90	Land Court	0	0	0	0	0	0	0	0
	o/w NSGRP			0	0	0	0	0	0
91	Anti Drug Commission	0	0	0	0	0	0	0	0
	o/w NSGRP			0	0	0	0	0	0
92	TACAIDS (Tanzania Commission for AIDS)	0	22,442	0	49,811	0	59,222	0	38,971
	o/w NSGRP			0	49,811	0	59,222	0	38,971
93	Immigration Department	0	0	0	0	0	0	0	0
	o/w NSGRP			0	0	0	0	0	0
94	Public Service Commission	0	0	115	0	0	0	0	0
	o/w NSGRP			0	0	0	0	0	0
Total	MDA	222,934	624,626	266,167	1,038,361	327,425	1,666,997	374,871	976,322
	o/w NSGRP			202,432	921,485	233,899	800,404	266,075	632,245
	o/w NSGRP			70.74%	88.74%	71.44%	63.92%	70.98%	65.24%

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REGION	2004/05 Budget		2005/06 Ceiling		2006/07 Projection		2007/08 Projection	
	Dev-Local	Dev-Foreign	Dev - Local	Dev - Foreign	Dev - Local	Dev - Foreign	Dev - Local	Dev - Foreign
70 Arusha Region	430	1,064	448	184	465	0	484	0
71 Coast Region	580	1,080	582	111	605	1,325	630	0
72 Dodoma Region	480	981	479	4,414	496	0	518	0
73 Iringa Region	499	1,371	519	745	539	903	561	15
74 Kigoma Region	555	911	577	5,015	600	7,419	624	0
75 Kilimanjaro Region	641	689	668	1,151	693	550	721	485
76 Lindi Region	412	1,225	428	0	445	0	463	0
77 Mara Region	290	1,288	302	0	314	0	327	0
78 Mbeya Region	602	1,880	628	592	651	875	677	2,194
79 Morogoro Region	496	3,005	516	2,401	536	1,529	558	4,291
80 Mtwara Region	527	1,243	549	400	570	0	593	0
81 Mwanza Region	665	4,467	691	778	719	1,150	748	4,388
82 Ruvuma Region	400	1,104	416	0	432	0	450	0
83 Sinyanga Region	528	1,380	549	498	571	543	594	0
84 Singida Region	337	1,017	350	170	364	126	379	0
85 Tabora Region	621	1,891	646	0	672	0	699	0
86 Tanga Region	510	2,918	530	2,428	551	4,270	573	0
87 Kagera Region	340	2,123	454	715	468	850	482	775
88 Dar es Salaam Region	428	217	443	0	460	0	479	0
89 Rukwa Region	499	971	519	0	540	0	561	0
95 Manyara Region	976	2,834	1,015	2,730	1,055	3,127	1,097	10,846
Total	10,771	33,899	11,382	22,340	11,790	22,667	12,216	22,994

	2004/05 Budget		2005/06 Ceiling		2006/07 Projection		2007/08 Projection	
	Dev-Local	Dev-Foreign	Dev - Local	Dev - Foreign	Dev - Local	Dev - Foreign	Dev - Local	Dev - Foreign
Total	233,705	857,686	297,469	1,060,721	339,175	1,083,664	387,087	999,316

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Total Recurrent and Development Expenditure by MDAs, Regions and LGAs

(Figures are in Million Tsh)

MDA

Vote	Description	2004/05 Budget			2005/06 Ceiling			2006/07 Projection			2007/08 Projection		
		Recurent	Development	Total	Recurent	Development	Total	Recurent	Development	Total	Recurent	Development	Total
20	State House	4,163	0	4,163	4,330	0	4,330	4,503	0	4,503	4,683	0	4,683
	o/w NSGRP				0	0	0	0	0	0	0	0	0
22	Public Debt and General Services	477,012	0	477,012	552,028	0	552,028	560,302	0	560,302	601,077	0	601,077
	o/w NSGRP				0	0	0	0	0	0	0	0	0
23	Accountant General's Department	71,283	11,300	82,583	77,925	13,935	91,860	83,023	12,738	95,761	93,041	5,302	98,343
	o/w NSGRP				5,274	0	5,274	5,789	0	5,789	9,899	0	9,899
24	Ministry of Co-operatives and Marketing	7,336	4,067	11,403	8,958	288	9,246	9,561	6,288	15,849	7,781	8,288	14,069
	o/w NSGRP				2,726	288	3,013	2,800	6,288	9,088	2,192	8,288	8,480
25	Prime Minister	1,161	0	1,161	1,727	0	1,727	1,980	0	1,980	1,695	0	1,695
	o/w NSGRP				0	0	0	0	0	0	0	0	0
26	Vice President	1,484	0	1,484	1,797	0	1,797	1,977	0	1,977	1,437	0	1,437
	o/w NSGRP				380	0	380	400	0	400	469	0	469
27	Registrar of Political Parties	8,694	0	8,694	9,708	0	9,708	10,178	0	10,178	11,530	0	11,530
	o/w NSGRP				347	0	347	375	0	375	388	0	388
28	Ministry of Home Affairs - Police Force	81,540	5,300	86,840	96,963	5,300	101,263	99,691	5,600	105,291	97,981	6,400	104,381
	o/w NSGRP				13,800	0	13,800	20,010	0	20,010	20,482	0	20,482
29	Ministry of Home Affairs - Prison Services	39,589	2,900	42,489	46,990	2,900	49,890	57,017	4,476	61,493	75,206	6,395	81,601
	o/w NSGRP				7,184	2,900	10,084	10,129	3,486	13,615	28,887	5,195	31,882
30	President's Office and Cabinet Secretariat	58,388	34,331	92,730	58,531	55,018	114,549	62,089	75,321	137,390	71,057	34,554	105,612
	o/w NSGRP				1,026	53,018	54,043	865	72,871	73,826	781	32,054	32,836
31	Vice President's Office	17,315	11,043	28,358	17,736	20,539	38,274	18,385	13,360	31,745	11,695	8,942	20,536
	o/w NSGRP				1,822	20,539	22,361	2,009	11,266	13,264	1,461	6,889	8,320
32	President's Office - Public Service Management	5,002	35,992	40,994	6,078	50,040	56,119	7,447	29,588	37,036	4,443	13,064	17,507
	o/w NSGRP				185	50,040	50,205	113	29,588	29,701	84	13,064	13,148
33	Ethics Secretariat	691	0	691	1,112	0	1,112	2,076	0	2,076	1,618	0	1,618
	o/w NSGRP				63	0	63	69	0	69	48	0	48

MDA

Vote	Description	2004/05 Budget			2005/06 Ceiling			2006/07 Projection			2007/08 Projection		
		Recurrent	Development	Total	Recurrent	Development	Total	Recurrent	Development	Total	Recurrent	Development	Total
34	Ministry of Foreign Affairs and International Co-operation	33,592	0	33,592	37,813	0	37,813	42,211	70	42,281	48,342	9	48,351
	o/w NSGRP				1,430	0	1,430	1,995	0	1,995	2,192	0	2,192
37	Prime Minister's Office	14,587	12,019	26,586	17,167	8,533	25,700	17,873	8,673	26,346	16,478	10,550	27,028
	o/w NSGRP				203	0	203	212	0	212	202	0	202
38	Defence	136,634	0	136,634	148,388	0	148,388	163,561	0	163,561	163,254	0	163,254
	o/w NSGRP				3,600	0	3,600	3,402	0	3,402	3,361	0	3,361
39	National Service	27,581	0	27,581	32,854	0	32,854	37,970	2,000	39,970	39,739	3,000	42,739
	o/w NSGRP				1,100	0	1,100	1,600	0	1,600	2,067	0	2,067
40	Judiciary	18,972	2,700	21,672	27,153	3,000	30,153	34,924	3,116	38,040	24,617	3,383	28,000
	o/w NSGRP				14,598	3,000	17,598	20,263	3,116	23,379	14,600	3,383	17,983
41	Ministry of Justice and Constitutional Affairs	5,337	4,433	9,770	7,127	13,477	20,604	7,916	13,785	21,701	11,202	14,316	25,518
	o/w NSGRP				5,808	13,477	19,083	6,332	13,785	20,117	9,810	14,316	24,126
42	Office of the Speaker	16,640	1,900	18,540	19,793	950	20,743	29,993	950	30,943	31,453	950	32,403
	o/w NSGRP				500	0	500	550	0	550	501	0	501
43	Ministry of Agriculture and Food Security	34,977	29,097	64,074	52,266	56,820	109,086	69,232	69,531	138,763	69,526	59,086	128,612
	o/w NSGRP				43,075	56,820	99,895	59,786	69,481	129,267	58,661	59,036	117,697
44	Ministry of Industries and Trade	7,353	1,583	8,936	12,959	1,526	14,385	17,573	2,458	20,031	17,016	2,670	19,686
	o/w NSGRP				7,623	1,526	9,149	11,745	1,808	13,353	9,432	1,670	11,102
45	Exchequer and Audit Department	5,143	1,618	6,761	6,856	1,521	8,177	6,954	789	7,743	3,906	339	4,244
	o/w NSGRP				2,482	1,521	4,013	294	789	1,083	313	339	651
46	Ministry of Education and Culture	52,812	105,600	158,412	65,886	162,041	227,927	71,242	167,266	238,507	65,781	314,546	380,327
	o/w NSGRP				26,385	162,041	188,426	30,180	167,196	197,366	23,140	314,478	337,625
47	Ministry of Works	62,100	184,250	246,349	68,846	184,970	253,816	76,127	280,595	356,722	96,978	427,357	524,334
	o/w NSGRP				30,943	184,970	215,913	34,114	236,918	271,032	52,667	363,334	436,201
48	Ministry of Lands and Human Settlements Development	5,891	673	6,364	7,860	1,000	8,860	8,676	1,295	9,871	7,261	3,183	10,444
	o/w NSGRP				1,809	1,000	2,809	2,079	1,095	3,174	2,030	2,883	4,713
49	Ministry of Water and Livestock Development	19,637	104,570	124,206	25,274	123,117	148,391	31,349	102,012	133,362	28,491	58,722	87,214
	o/w NSGRP				16,986	123,117	139,103	21,338	102,012	123,350	16,217	58,722	74,939
50	Ministry of Finance	148,516	16,521	163,036	86,277	20,256	106,532	91,932	11,248	103,181	86,143	18,533	103,676
	o/w NSGRP				74,919	17,855	92,774	77,978	8,049	86,027	78,077	15,333	93,410

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MDA

Vote	Description	2004/05 Budget			2005/06 Ceiling			2006/07 Projection			2007/08 Projection		
		Recurrent	Development	Total	Recurrent	Development	Total	Recurrent	Development	Total	Recurrent	Development	Total
51	Ministry of Home Affairs	2,989	0	2,989	3,811	253	4,064	4,697	50	4,747	4,042	80	4,122
	o/w NSGRP				883	253	1,136	1,082	50	1,132	1,307	80	1,387
52	Ministry of Health	104,465	91,216	195,681	162,744	138,049	300,793	223,803	161,840	385,443	270,281	72,004	342,285
	o/w NSGRP				124,713	138,048	262,762	183,523	161,140	344,663	231,717	71,204	302,921
53	Ministry of Community Development, Gender and Children	4,121	868	4,989	7,121	1,300	8,421	9,693	1,010	10,703	16,254	1,351	17,605
	o/w NSGRP				3,680	1,300	4,980	3,901	1,010	4,911	11,863	1,351	13,214
54	Radio Tanzania	0	300	300	0	0	0	0	0	0	0	0	0
	o/w NSGRP				0	0	0	0	0	0	0	0	0
55	Commission for Human Rights and Good Governance	2,153	0	2,153	2,653	0	2,653	2,772	0	2,772	2,954	0	2,954
	o/w NSGRP				1,886	0	1,886	1,962	0	1,962	2,183	0	2,183
56	President's Office - Regional Administration and Local Government	36,604	141,325	177,929	42,876	92,031	134,907	44,874	58,973	103,847	61,127	44,407	105,534
	o/w NSGRP				33,685	92,031	126,716	35,754	58,973	94,727	51,829	44,407	96,236
57	Ministry of Defense and National Service	4,953	45,010	49,963	5,602	45,010	50,612	5,957	45,010	50,967	6,924	45,010	51,934
	o/w NSGRP				883	0	883	842	0	842	888	0	888
58	Ministry of Energy and Minerals	133,036	46,898	179,933	27,772	135,121	162,893	30,455	128,570	159,025	34,413	50,808	85,221
	o/w NSGRP				139	135,121	135,260	142	101,006	101,148	143	10,322	10,465
59	Law Reform Commission	501	0	501	731	0	731	1,003	0	1,003	786	0	786
	o/w NSGRP				136	0	136	122	0	122	111	0	111
60	Industrial Court of Tanzania	513	252	765	522	732	1,253	536	641	1,177	678	120	798
	o/w NSGRP				47	0	47	51	0	51	37	0	37
61	Electional Commission	30,136	6,318	36,453	31,433	0	31,433	3,030	0	3,030	2,290	0	2,290
	o/w NSGRP				10	0	10	12	0	12	11	0	11
62	Ministry of Communication and Transport	23,059	19,266	42,324	27,026	17,600	44,626	27,734	20,000	47,734	31,413	23,200	54,613
	o/w NSGRP				9,086	0	9,086	9,485	0	9,485	15,397	0	15,397
64	Commercial Court	611	153	764	780	510	1,290	838	549	1,386	859	475	1,334
	o/w NSGRP				700	510	1,210	755	549	1,304	773	475	1,248
65	Ministry of Labour, Youth Development and Sports	5,795	55,339	61,134	10,055	33,681	43,736	16,525	15,633	32,258	18,221	12,298	30,519
	o/w NSGRP				8,314	0	8,314	12,382	54	12,416	12,902	2,127	15,029
66	President's Office - Planning and Privatization	7,953	14,698	22,651	10,860	28,114	38,974	10,984	27,983	38,967	11,051	19,257	30,308
	o/w NSGRP				1,067	14,872	15,939	1,202	14,447	15,649	1,142	12,228	13,370

MDA

Vote	Description	2004/05 Budget			2005/06 Ceiling			2006/07 Projection			2007/08 Projection		
		Recurrent	Development	Total	Recurrent	Development	Total	Recurrent	Development	Total	Recurrent	Development	Total
67	Teachers' Service Commission	0	0	0	0	0	0	0	0	0	0	0	0
	o/w NSGRP				0	0	0	0	0	0	0	0	0
68	Ministry of Science, Technology and Higher Education	70,286	14,030	84,315	95,169	25,401	120,570	133,616	27,931	161,447	129,872	25,858	155,730
	o/w NSGRP				9,325	80	9,385	10,119	75	10,194	9,344	80	9,434
69	Ministry of Natural Resources and Tourism	28,153	18,970	47,124	29,887	31,394	61,281	33,881	29,848	63,730	37,087	19,868	56,933
	o/w NSGRP				7,347	100	7,447	8,008	139	8,147	8,161	304	8,465
90	Land Court	459	0	459	564	0	564	586	0	586	363	0	363
	o/w NSGRP				397	0	397	404	0	404	215	0	215
91	Anti Drug Commission	639	0	639	1,009	0	1,009	1,101	0	1,101	1,140	0	1,140
	o/w NSGRP				486	0	486	590	0	590	747	0	747
92	TACAIDS (Tanzania Commission for AIDS)	4,347	22,442	26,789	4,569	49,811	54,380	4,882	59,222	64,104	4,587	38,971	43,558
	o/w NSGRP				3,171	49,811	52,982	3,038	59,222	62,258	1,388	38,971	40,359
93	Immigration Department	7,342	0	7,342	7,928	0	7,928	9,058	0	9,058	10,513	0	10,513
	o/w NSGRP				1,050	0	1,050	1,054	0	1,054	2,647	0	2,647
94	Public Service Commission	6,394	0	6,394	6,360	115	6,475	6,581	0	6,581	6,820	0	6,820
	o/w NSGRP				1,280	0	1,280	1,365	0	1,365	2,968	0	2,968
Total	MDA	1,835,708	1,046,980	2,882,688	1,981,373	1,324,548	3,305,922	2,197,945	1,388,422	3,586,267	2,344,084	1,251,193	3,595,277
	o/w NSGRP				488,038	1,123,917	1,611,955	580,190	1,124,303	1,714,493	891,201	1,088,320	1,789,521
	% o/w NSGRP				23.57%	84.80%	48.18%	26.80%	80.98%	47.81%	29.49%	81.29%	48.43%

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REGION

Vote	Description	2004/05 Budget			2005/06 Ceiling			2006/07 Projection			2007/08 Projection		
		Recurrent	Development	Total	Recurrent	Development	Total	Recurrent	Development	Total	Recurrent	Development	Total
70	Arusha Region	1,802	1,495	3,297	1,947	641	2,588	2,095	465	2,561	2,250	494	2,744
71	Coast Region	1,215	1,639	2,855	1,321	693	2,014	1,441	1,930	3,371	1,574	630	2,204
72	Dodoma Region	1,742	1,441	3,183	1,882	4,892	6,774	2,026	498	2,523	2,185	518	2,702
73	Iringa Region	1,859	1,870	3,729	2,004	1,264	3,267	2,156	1,442	3,699	2,326	576	2,902
74	Kigoma Region	1,542	1,466	3,007	1,676	5,592	7,268	1,825	8,018	9,844	1,991	624	2,615
75	Kilimanjaro Region	1,390	1,530	2,920	1,514	1,817	3,331	1,645	1,243	2,888	1,790	1,206	2,996
76	Lindi Region	1,360	1,637	2,997	1,468	428	1,896	1,584	445	2,030	1,713	463	2,176
77	Mara Region	1,716	1,579	3,295	1,847	302	2,149	1,979	314	2,293	2,124	327	2,450
78	Mbeya Region	1,587	2,482	4,069	1,724	1,217	2,941	1,674	1,526	3,401	2,043	2,871	4,914
79	Morogoro Region	2,219	3,500	5,719	2,381	2,917	5,298	2,565	2,065	4,630	2,769	4,848	7,618
80	Mtwara Region	1,399	1,770	3,169	1,519	949	2,468	1,641	570	2,212	1,777	593	2,370
81	Mwanza Region	1,928	5,132	7,060	2,089	1,469	3,557	2,257	1,869	4,126	2,443	5,136	7,579
82	Ruvuma Region	1,683	1,504	3,186	1,826	416	2,242	1,975	432	2,407	2,140	450	2,590
83	Sinyanga Region	1,749	1,907	3,657	1,894	1,047	2,940	2,053	1,114	3,167	2,231	594	2,824
84	Singida Region	1,270	1,354	2,624	1,570	520	2,090	1,676	480	2,168	1,799	379	2,178
85	Tabora Region	1,622	2,512	4,134	1,756	646	2,404	1,902	572	2,574	2,062	699	2,761
86	Tanga Region	1,848	3,428	5,276	1,998	2,958	4,955	2,155	4,822	6,977	2,331	573	2,904
87	Kagera Region	1,813	2,463	4,276	1,960	1,189	3,128	2,116	1,318	3,434	2,289	1,257	3,546
88	Der es Salaam Region	1,121	643	1,763	1,215	443	1,657	1,338	460	1,799	1,478	479	1,956
89	Rukwa Region	1,440	1,470	2,910	1,569	519	2,087	1,700	540	2,239	1,846	561	2,407
96	Manyara Region	1,169	3,810	4,979	1,280	3,745	5,025	1,403	4,182	5,586	1,541	11,943	13,484
Total	REGION	33,474	44,632	78,104	36,442	33,444	79,879	36,486	34,415	73,829	42,712	35,211	77,929

LGA

Vote	Description	2004/05 Budget			2005/06 Ceiling			2006/07 Projection			2007/08 Projection		
		Recurrent	Development	Total	Recurrent	Development	Total	Recurrent	Development	Total	Recurrent	Development	Total
Total LGA		394,768	0	415,578	474,898	0	474,898	462,988	0	462,988	612,678	0	612,678
Grand Total		2,254,868	1,091,982	3,347,843	2,491,814	1,398,199	3,890,014	2,739,216	1,432,838	4,183,055	2,999,474	1,296,493	4,295,977



THE UNITED REPUBLIC OF TANZANIA

**GUIDELINES FOR THE PREPARATION OF
MEDIUM TERM PLAN AND BUDGET
FRAMEWORK FOR
2005/06 –2007/08**

PART II

(FORMS FOR BUDGET SUBMISSION AND IMPLEMENTATION)

Issued by:

**The President's Office,
Planning and Privatization,
P.O. Box 9242,
DAR-ES-SALAAM.**

**Ministry of Finance,
P.O. Box 9111,
DAR-ES-SALAAM.**

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BUDGET SUBMISSION FORMS

FORM NO. 1

**1. SUMMARY OF ANNUAL AND FORWARD BUDGET ESTIMATES
REVENUE RECURRENT AND DEVELOPMENT EXPENDITURE ('000 TSHS)**

Vote:

Description	Actuals 2003/2004	Approved Budget Estimates 2004/05	Annual Budget Estimates 2005/2006	Forward Budget Estimates 2006/07	Forward Budget Estimates 2007/08
1	2	3	4	5	6
1. Total Domestic Revenues					
2. Total Recurrent Expenditure					
of which:					
(a) Personal Emolument					
(b) Other Charges					
3. Development Expenditure					
of which:					
(a) Govt. Funds					
(b) Foreign Funds					
(c) Other Funds					
TOTAL EXPENDITURE					

Note: Item 1: In the case of LGAs Total Domestic Revenue mean own revenues.

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**2. RECURRENT EXPENDITURE FORWARD BUDGET
(000 Tshs.)**

Summary of Personal Emoluments and Other Charges at Vote level

VOTE NO: **VOTE NAME**.....

Description	Actual 2003/2004	Approved Budget Estimates 2004/05	Annual Budget Estimates 2005/2006	Forward Budget Estimates 2006/07	Forward Budget Estimates 2007/08
1. Total Personal Emolument					
2. Total Other Charges					
Of which (a) Vote proper O.C (b) Internal Subvention PE OC (c) External Subventions					
Total PE & OC:					

Note: Total is equal to Total Personal Emolument + Total Other Charges

3a ACTIVITY COSTING SHEET

Sub-Vote No:

Sub-Vote Name:

Objective No:

Objective Description

Target No:

Target Description

GRP

Other

} Tick (✓)

		Required Inputs			Annual Budget Estimates 2005/06		Forward Budget Estimates 2006/07		Forward Budget Estimates 2007/08	
Segment 2 Performance Budget Code	Segment 4 (GFS Codes)	Segment 4 Description (GFS Code Description)	Unit of Measure	Unit cost of Inputs	No of Units	Estimates	No of Units	Estimates	No of Units	Estimates
Total TShs.....										

Note: Segment 2 includes objective, target, target type and activity

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**3b RECURRENT EXPENDITURE SUMMARY
OF DRAFT ESTIMATES 2005/06 – 2007/08**

Subvote No: Subvote Name:

Segment 4 (GFS Code)	Segment 4 Description (GFS Code Description)	Actual Expenditure 2003/2004	Approved Estimate 2004/2005	Annual Budget Estimates 2005/2006	Forward Budget Estimates 2006/2007	Forward Budget Estimates 2007/2008
(1)	(2)	(3)	(4)	(5)	(6)	(7)

NB: Columns 5,6 and 7 is a Summary of Form No. 3(a) Activity Costing Sheet)

4. RECURRENT DOMESTIC REVENUE FORWARD BUDGET

VOTE:

SUBVOTE:

SEGMENT 4 (GFS CODE)	DESCRIPTION	ACTUAL COLLECTION 2003/2004	APPROVED ESTIMATES 2004/2005	DRAFT ESTIMATES 2005/2006	FORWARD BUDGET 2006/2007	FORWARD BUDGET 2007/2008
	Total of Sub-Vote					
	TOTAL OF VOTE					

**5. RECURRENT DOMESTIC REVENUE
DETAILS OF DRAFT ANNUAL ESTIMATES**

VOTE:

SUB-VOTE:

SEGMENT 4 (GFS ITEM CODE)	DESCRIPTION	2003/2004 ACTUAL COLLECTIONS	ACTUAL COLLECTION TO FEB. 2005	PROJECTIONS MARCH TO JUNE, 2005	LIKELY OUT- TURN JULY 2004 TO JUNE,2005	2004/2005 APPROVED ESTIMATES	2005/2006 DRAFT ESTIMATES
TOTAL OF SUB-VOTE							
TOTAL OF PROGRAMME							

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**6. DEVELOPMENT EXPENDITURE DETAILS
OF ANNUAL AND FORWARD BUDGET 2005/06 – 2007/08**

SUB-VOTE NO:

SUB-VOTE NAME:.....

PROJECT CODE:

PROJECT NAME :

OBJECTIVE No:

OBJECTIVE DESCRIPTION

NSGRP

Tick (✓)

TARGET:

TARGET DESCRIPTION

Other

(Segment 2) Performance Budget Codes	Activities Description	Segment 4 (GFS Code)	Segment 4 Description (GFS Code Description)	Annual Budget Estimates 2005/2006						Forward Budget Estimates 2006/2007			Forward Budget Estimates 2007/2008		
				Government Funds						Government Funds			Government Funds		
				Local	Foreign	L/G	C/D	Donor	Total Govt. Fund	Local	Foreign	Total Govt. Fund	Local	Foreign	Total Govt Fund
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
Total of Target															
Total of Project															
TOTAL OF SUB-VOTE															

1. Total Target is Sum of all activities under a Target
2. Total Project is Sum of all targets under a Project
3. Total Subvote is Sum of all Projects under the Subvote

ESTIMATES OF PROJECTS IMPLEMENTED BY MINISTRIES IN THE REGION

VOTE NO :

VOTE NAME:

Vote	Vote Name	Project Code	Project Name	Project Estimates 2005/06	Planned allocations to be spent in Regions				
					Region and amount	Region and amount	Region and amount	Region and amount	Region and amount

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**8. SUMMARY OF PERSONAL EMOLUMENTS ESTIMATES
MINISTRY/REGION/DISTRICT/URBAN COUNCILS**

VOTE NO:

VOTE DESCRIPTION:

SUMMARY: EXISTING EMPLOYEES BOTH ON AND NOT ON PAYROLL.....

Item	Number of Employees	Basic Salary	Annual Increment	Salary for New Employees	Promotion	NSSF 10%	LAPF	Total P.E.	Pension Fund 15%	Health Insurance 3%
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1										
2										
3										
Grand Total										

ITEM 1 = EXISTING EMPLOYEES ON PAYROLL

ITEM 2 = EXISTING EMPLOYEES NOT ON PAYROLL

ITEM 3 = NEW EMPLOYEES TO BE RECRUITED F/Y 2005/06

COLUMN 8 - GIVE TOTAL SUM OF COLUMNS 2 UP TO 7

3/23

**SUMMARY OF PERSONAL EMOLUMENTS ESTIMATES
MINISTRY/REGION/DISTRICT/URBAN COUNCILS**

VOTE NO:

VOTE DESCRIPTION:

SUMMARY: EXISTING EMPLOYEES ON PAYROLL

Sub- vote	Number of Employees	Basic Salary	Annual Increment	Promotion	NSSF 10%	LAPF	Total P.E	Pension Fund 15%	Health Insurance 3%
(1)	(2)	(3)	(4)	(6)	(7)	(8)	(9)	(10)	(11)
TOTAL									

Column 8 – Give Total Sum of Columns 2 to - 7

**SUMMARY OF PERSONAL EMOLUMENTS ESTIMATES
MINISTRY/REGION/DISTRICT/URBAN COUNCILS**

VOTE NO:

VOTE DESCRIPTION:

ITEM II: EXISTING EMPLOYEES NOT ON COMPUTER PAYROLL

Sub- vote	Number of Employees	Basic Salary	Annual Increment	Promotion	NSSF 10%	LAPF	Total P.E.	Pension Fund 15%	Health Insurance 3%
(1)	(2)	(3)	(4)	(6)	(7)	(8)	(9)	(10)	(11)
TOTAL									

Column 8 – Give Total Sum of Column 2 to 7

**SUMMARY OF PERSONAL EMOLUMENTS ESTIMATES
MINISTRY/REGION/DISTRICT/URBAN COUNCILS**

VOTE:

VOTE DESCRIPTION:

ITEM III: NEW EMPLOYEES TO BE RECRUITED F/Y 2005/06

Sub- vote	Number of Employees	Basic Salary	Annual Increment	Promotion	NSSF 10%	LAPF	Total P.E	Pension Fund 15%	Health Insurance 3%
(1)	(2)	(3)	(4)	(6)	(7)	(8)	(9)	(10)	(11)
TOTAL									

Column 8 – Give Total Sum of Column 2 to 7

**9. SCHEDULE OF PERSONAL EMOLUMENTS
ESTABLISHMENT AND STRENGTH**

VOTE NO: VOTE DESCRIPTION:

SUB VOTE	Description	Salary Scale Tshs.	ESTABLISHMENT					Actual Strength at Present	Variation + Over - Under
			2003/2004	2004/2005	2005/2006	2006/2007	2007/2008		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

REPORT ON DONOR FUNDS IN-FLOWS
VOTE NO----- MINISTRY/REGION -----

Council Code----- Council Name-----
(Estimates and values all in Tanzanian Shillings)

Proj. No.	Project Name	GFS codes	Name of Goods	Estimates for year	Value received
TOTAL					

NOTES: Forms to be filled quarterly
More projects can be filled on one form
Project code / Project No is as per Budget Book estimates

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DISTRIBUTION OF MSD FUNDS/DRUGS FOR COUNCILS FOR 2004/05-2005/06						
	2004/05			2005/06		
COUNCILS	MSD FUNDS/DRUGS			MSD FUNDS/DRUGS		
URBAN/DISTRICT	CASH	DRUGS	TOTAL	CASH	DRUGS	TOTAL
ARUSHA REGION						
Arusha mc						
Arumeru						
Karatu						
Monduli						
Ngorongoro						
TOTAL						
COAST REGION						
Kibaha tc						
Bagamoyo						
Kibaha						
Kisarawe						
Mafia						
Mkuranga						
Rufiji						
TOTAL						
DODOMA REGION						
Dodoma mc						
Dodoma						
Kondoa						
Kongwa						
Mpwapwa						
TOTAL						
IRINGA REGION						
Iringa tc						
Iringa dc						

Ludewa dc						
Makete dc						
Mufindi dc						
Njombe dc						
TOTAL						
KIGOMA REGION						
Kigoma tc						
Kasulu						
Kibondo						
Kigoma						
TOTAL						
KILIMANJARO REGION						
Moshi mc						
Hai						
Moshi						
Mwanga						
Rombo						
Same						
TOTAL						
LINDI REGION						
Lindi tc						
Kilwa						
Lindi						
Liwale						
Nachingwea						
Ruangwa						
TOTAL						
MARA REGION						
Musoma tc						
Bunda						
Musoma						
Serengeti						
Tarime						
TOTAL						

MBEYA REGION						
Mbeya.mc.						
Chunya						
Ileje						
Kyela						
Mbarali						
Mbeya..						
Mbozi						
Rungwe						
TOTAL						
MOROGORO REGION						
Morogoro mc						
Kilombero						
Kilosa						
Morogoro						
Ulanga						
TOTAL						
MTWARA REGION						
Mtwara tc						
Masasi						
Mtwara						
Newala						
Tandahimba						
TOTAL						
MWANZA REGION						
Mwanza mc						
Geita						
Kwimba						
Magu						
Missungwi						
Sengerema						
Ukerewe						
TOTAL						
RUVUMA REGION						

Songea tc						
Mbinga						
Songea						
Tunduru						
TOTAL						
SHINYANGA REGION						
Shinyanga tc						
Bariadi						
Bukombe						
Kahama						
Maswa						
Meatu						
Shinyanga						
TOTAL						
SINGIDA REGION						
Singida tc						
Iramba						
Manyoni						
Singida						
TOTAL						
TABORA REGION						
Tabora mc						
Igunga						
Nzega						
Sikonge						
Tabora						
Urambo						
TOTAL						
TANGA REGION						
Tanga mc						
Muheza						
Korogwe						
Lushoto						
Handeni						
Pangani						

TOTAL						
KAGERA REGION						
Bukoba tc						
Biharamulo						
Bukoba						
Karagwe						
Muleba						
Ngara						
TOTAL						
DAR-ES-SALAAM REGION						
DSM Cc						
Ilala mc						
Kinondoni mc						
Temeke mc						
RUKWA REGION						
S'wanga tc						
Mpanda						
Nkansi						
Sumbawanga						
MANYARA REGION						
Babati						
Hanang						
Kiteto						
Mbulu						
Simanjiro						
TOTAL						
TOTAL COUNCILS						

NOTE: To be filled by Ministry of Health

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PROJECT FUNDING FORM

VOTE NO: **VOTE NAME:**

MDAs NAME:

Project No.	Project Name	Collaborating MDA	Activities requiring collaboration	Collaborating MDAs Budget Commitment

Annex "A"

**ACTION PLAN FOR OTHER CHARGES
FOR MINISTRIES, REGIONS AND COUNCILS**

SUB-VOTE NO:

SUB-VOTE NAME:

OBJECTIVE No:

OBJECTIVE DESCRIPTION

NSGRP

TARGET:

TARGET DESCRIPTION

Other

} Tick

Segment 2 (Performance Budget Code)	1 st Quarter Activities	Amount Tshs.	2 nd Quarter Activities	Amount Tshs.	3 rd Quarter Activities	Amount Tshs.	4 th Quarter Activities	Amount Tshs.	Remarks

**ACTION PLAN FOR DEVELOPMENT BUDGET (FINANCIAL)
FOR MINISTRIES, REGIONS AND COUNCILS**

SUB-VOTE NO:

SUB-VOTE NAME:

PROJECT CODE:

PROJECT NAME:

OBJECTIVE No:

OBJECTIVE DESCRIPTION

NSGRP

TARGET:

TARGET DESCRIPTION

Other

} Tick

Segment 2 (Performance Budget Codes)	Activities	Approved Annual Plan			Quarterly Expenditure Targets											
		Government		Own & Others	Quarterly I			Quarterly II			Quarterly III			Quarterly IV		
		Local	Foreign		Government		Own & Others	Government		Own & Others	Government		Own & Others	Government		Own & Others
				Local	Foreign	Local		Foreign	Local		Foreign	Local		Foreign	Local	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

Instructions:

- Column 1 : Performance Budget Codes – Segment 2.
- Column 2 : Description of Activity
- Column 3-5 : Insert the approved total budget for activity in the Annual Plan
- Column 6-17 : Give quarterly estimates targets for each category of fund

**ACTION PLAN FOR DEVELOPMENT BUDGET (PHYSICAL)
FOR MINISTRIES REGIONS & COUNCILS**

SUB-VOTE NO: SUB-VOTE NAME:

PROJECT CODE: PROJECT NAME:

OBJECTIVE No: OBJECTIVE DESCRIPTION NSGRP }
 TARGET: TARGET DESCRIPTION Other } Tick

Segment 2 (Performance budget Codes)	Description of Activities	Annual Plan Target	Quarterly Physical Targets				Projected Completion date (Month Year)
			Quarter I	Quarter II	Quarter III	Quarter IV	
1	2	3	4	5	6	7	8

Instructions for filling this form

Col. 1: Performance Budget Codes (Segment 2)

Col. 2: Describe project

Col. 3: Give the Annual Plan target e.g. The number of houses, aerea to be worked, Kilometers of road to be completed etc. as per unit of measurement.

Col. 5-8 Subdivide Annual Plan target in Col. 4 into four quarterly targets (col.5-8).

Col. 9: Give projected completion date, after Annual Plan allocation, and/or As envisaged in the Rolling Plan and Forward Budget.

**PROGRESS REPORT FOR OTHER CHARGES
FOR MINISTRIES REGIONS AND COUNCILS**

(QUARTER ENDING:.....)

SUB-VOTE NO: SUB-VOTE NAME:

OBJECTIVE No: OBJECTIVE DESCRIPTION

Planned Target	NSGRP/ Other	Planned Budget	Physical Achievement	Actual Expenditure	Cumulative Achievement			Remarks
					Physical	Financial		
1	2	3	4	5	6	7	8	9

COLUMNS:

- | | |
|--|--|
| <ul style="list-style-type: none"> 1. Give the Planned Target for the Quarter 2. Indicate NSGRP or other 3. Give Planned Budget for the Quarter 4. Give the Physical Achievement for the Quarter | <ul style="list-style-type: none"> 5. Give Actual Expenditure for the Quarter 6. Give Cumulative Physical Achievement 7. Give Cumulative amount spent 8. Give general Remarks (Observations or Problems) |
|--|--|

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**PROGRESS REVIEW FOR DEVELOPMENT BUDGET (PHYSICAL)
FOR MINISTRIES, REGIONS & COUNCILS**

This progress Review is for:

- 1st Quarter..... 1
- 2nd Quarter (Mid Year Review) MYR. .2
- 3rd Quarter.....3
- 4th Quarter..... 4

SUB-VOTE NO:

SUB-VOTE NAME:

OBJECTIVE No:

OBJECTIVE DESCRIPTION

Planned target	NSGRP/Other	Actual Implementation		Remarks
		For the Quarter	Cumulative	
1	2	3	4	5

Instruction for filling this form

Col 1: Description planned for the quarter

Col 2: Indicate NSGRP/Other target

Col 3: Give actual achievement for the quarter

Col.4: Give cumulative achievement

Col. 5: Give general remarks, observations or problems

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**PROGRESS REVIEW FOR DEVELOPMENT BUDGET (FINANCIAL)
FOR MINISTRIES, REGIONS & COUNCILS**

This progress Review is for:

- 1st Quarter..... 1
- 2nd Quarter (Mid Year Review) MYR...2
- 3rd Quarter.....3
- 4th Quarter..... 4

SUB-VOTE NO:

SUB-VOTE NAME:

OBJECTIVE No:

OBJECTIVE DESCRIPTION

Planned Target	NSGRP/ Other	Planned Budget for the Quarter			Actual expenditure for the Quarter			Cumulative expenditure			Remarks
		Government		Own and Other	Government		Own & Others	Government		Own & Others	
		Local	Foreign		Local	Foreign		Local	Foreign		
1	2	3	4	5	6	7	8	9	10	11	12

Instruction for filling this form

- Col 1: Description planned target
- Col 2: Indicate whether NSGRP or Other target
- Col 3-5 Give the planned budget for the quarter

- Col 6-8: Give the actual expenditure for the quarter
- Col 9-11: Give cumulative expenditure
- Col 12: Give cumulative quarterly actual expenditures

PRESENTATION FORMATS

MTEF PRESENTATION FORMAT

FOR 2005/06 – 2007/08

Chapter 1: Overview and Policy Statements

- 1.1 Executive Summary
 - 1.1.1 Statement of the Chairperson
 - 1.1.2 Statement by Council Director

Chapter 2: Environmental Scan

- 2.1 Stakeholder analysis
 - 2.1.1 Names of key stakeholders
 - 2.1.2 Needs/expectations of stakeholders
- 2.2 SWOT analysis
 - 2.2.1 Strength and Weaknesses
 - 2.2.3 Opportunities and Threats
- 2.3 Key Issues

Chapter 3: Reviewed Institutional Perspectives

- 3.1 Vision of the Council
- 3.2 Mission Statement
- 3.3 Objectives
- 3.4 Policies and Strategies.

Chapter 4: Budget Performance Review

- 4.1 Performance 2003/2004
 - 4.1.1* Annual Approved Revenue Vs Actual
 - 4.1.2 Annual Approved Expenditure Vs Actual

- 4.1.3 Planned targets Vs Achievements
- 4.1.4 Problems Experienced and Future Strategies
- 4.2 Mid Year Review – 2004/05
 - 4.2.1* Annual Approved Revenue Vs Actual
 - 4.2.2 Annual Expenditure Vs Actual
 - 4.2.3 MTEF targets Vs Actual achievement
 - 4.2.4 Problems/Limitations to effective implementation

Chapter 5: Estimates for MTEF (2005/06 – 2007/08)

- 5.1 Objectives
- 5.2 Targets
- 5.3 Activities
- 5.4 Costing of inputs and projections
- 5.5 GFS sub-items and budget
- 5.6 Development Budget Estimates
- 5.7 Estimates of Revenue

ANNEX I

TANZANIA PARLIAMENTARIANS AIDS COALITION (TAPAC)

Workshop on Mainstreaming HIV/AIDS in National Development

Workshop for Leaders of the Parliamentary Standing Committees
and TAPAC Executive Committee supported
Dodoma Hotel, 12th to 13th February 2005.

Programme Day 1:

Overall Chairperson: TAPAC

08.30 - 09.00am Registration of participants

09.00 - 10.00am Official opening
Welcome statement by TAPAC Chairperson
Statement by UNFPA for the UN in Tanzania
Statement by TACAIDS Representative
Speech by the Guest of Honor (A Minister expected)

10.00 - 10.30am Tea/Coffee Break

10.30 - 12.00am Plenary Presentations

Review of the HIV/AIDS Situation and current responses and challenges in Tanzania –
Mrs. Rustica Tembele, Director of District and Community Response/TACAIDS

Tanzania's response on Care and Treatment of People Living with AIDS in Tanzania:
challenges for rolling out of Antiretroviral Therapy - Dr. Bwijo Bwijo (NACP)

12.00 - 01.00 General Discussion & Recommendations

01.00 - 02.30pm Lunch Break

02.30 - 04.00pm Plenary presentations

Overview of Mainstreaming HIV/AIDS in national and sector programs in Tanzania - Dr.
Elly Ndyetabura, Programme Specialist, UNDP

04.00 - 04.30pm General Discussion & Recommendations

**04.30 - 04.45 pm Tea/Coffee Break & Overview of Day's
proceedings**

Programme Day 2:

09.00 – 10.30am. Plenary Presentation

Overview of the Assessment of the HIV/AIDS impact on the National Assembly of the United Republic of Tanzania: a) Situational and response analysis. b) Proposed strategy & Action Plan - Cleopas Msuya/Rose Maeda (Consultants)

Lead discussant: Hon. Lediana Mafuru (MP), Chairperson, TAPAC

10.30 – 11.00 am Tea/Coffee Break

11.00 – 12.30 pm General discussion

Approval of the National Assembly strategy on HIV/AIDS: The way forward for operationalization – (Clerk of the National Assembly)

12.30 - 01.00pm. Official Closure

Closing remarks from TAPAC Chairperson
Closing statement from UNAIDS Country Coordinator
Closing statement from TACAIDS
Closing speech by the Guest of Honor- Speaker of the National Assembly

01.00 - 02.00pm. Lunch and Departure

STATE UNIVERSITY OF NEW YORK/TANZANIA

**WORKSHOP REPORT
ON
"MAINSTREAMING HIV/AIDS IN NATIONAL DEVELOPMENT"**

**Workshop for leaders of the Parliamentary Standing Committees, TAPAC
Executive Committee, and Members of the TWPG Parliament Chamber,
12th-13th February, 2005 in Dodoma**

**Prepared by
Salum Awadh
Project Assistant
SUNY/TZ**

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ACRONYM

SUNY	State University of New York
TAPAC	Tanzania Parliamentarians AIDS Coalition
TWPG	Tanzania Women Parliamentarians Group
AWEPA	Association of Western Europe Parliament
UNDP	United Nations Development Program
TACAIDS	Tanzania Commission for AIDS
HIV	Human Immune Virus
AIDS	Acquire Immune Deficiency Syndrome
UNAIDS	United Nations AIDS
ESRF	Economic and Social Research Foundation
GDP	Growth Domestic Product
UN	United Nations
LGA	Local Government Authority
PLWHA	People Living With HIV/AIDS
ART	Anti-Retroviral Therapy
ARV	Anti-Retroviral
ZAC	Zanzibar AIDS Commission
NACP	National AIDS Control Program
EAC	East African Community
SADC	Southern Africa Development Community
NSGRP	National Strategy for Growth and Reduction of Poverty
ILO	International Labour Organization
WHO	World Health Organization.

ACKNOWLEDGEMENT

Many individuals contributed to the successful conduct and completion of this work.

I have the great honor to express my vote of thanks to SUNY/TZ, AWEPA, TACAIDS, TAPAC and UNDP for organizing and facilitating the conduct of this workshop.

The Hon. Speaker, the Hon. Deputy Speaker and the Clerk of the National Assembly are honored for permitting the conduct of the workshop at the Parliament premises.

Hon MPs are also thanked for showing close cooperation and participation which made this workshop possible

INTRODUCTION

Following the continued consequences brought by HIV/AIDS in Tanzania, it was of no reasonable doubt that the workshop on HIV/AIDS which involved the policy and decision makers was crucial.

This workshop had one big agenda titled "**Mainstreaming HIV/AIDS in National Development**" which was broken down into the following major themes;

- **Theme 1:** Review of the HIV/AIDS situation and current responses and challenges in Tanzania
- **Theme 2:** Tanzania's response on Care and Treatment of People Living with AIDS in Tanzania; challenges for rolling out of Antiretroviral Therapy.
- **Theme 3:** Overview of Mainstreaming HIV/AIDS in national and sector programs in Tanzania
- **Theme 4:** Presentation of the Toolkit "*What Parliamentarians can do about HIV/AIDS, Action for Children and Young People*".
- **Theme 5:** Overview of the Assessment of the HIV/AIDS impact on the National Assembly of the United Republic of Tanzania:
 - a) Situational and response analysis
 - b) Proposed Strategy and Action Plan

All these themes were presented by different resource persons and gave a good picture of what has been, and what is yet to be done in the course of mainstreaming HIV/AIDS in the national development as one of the alternative strategies to combat the disaster of HIV/AIDS in Tanzania.

PARTICIPANTS

This workshop had a diverse of participants from different institutions as stakeholders in the fight against the disease.

The participants included the following;

- I. Hon. Prime Minister
- II. Hon. Speaker of the Tanzania Union Assembly
- III. Hon. Deputy Speaker of the Tanzania Union Assembly
- IV. UNAIDS
- V. TACAIDS
- VI. Hon. MPs from the Tanzania Union Assembly
- VII. Hon. MP from Uganda (1 representative)
- VIII. ESRF
- IX. AWEPA representatives from South Africa and Netherlands
- X. Intellectuals from higher learning institutions
- XI. UNDP
- XII. Policy Project.

OPENING REMARKS

This part was done by the Tanzania Prime Minister, Hon. Fredrick T. Sumaye who was the Guest of Honor.

In his opening speech he gave the following comments on the fight against HIV/AIDS in Tanzania;

- He emphasized the role of MPs in educating people in their constituencies (proper ways to fight HIV/AIDS)
- People should not use HIV/AIDS as an issue of writing proposal to request funds from donors but should become more serious in solving the problem itself.
- HIV/AIDS should be integrated in the day-to-day activities to each individual
- HIV/AIDS should be regarded as a cross-cutting issue to many areas including the Parliamentary Standing Committees. It should also become a common agenda to all Committee meetings.
- There is a need for people to know their health status as one of prerequisites in the fight against the pandemic.

CHAPTER ONE

PRESENTATIONS

In order to adequately address the question of mainstreaming the issue of HIV/AIDS in national development, various topics were presented with the purpose of reaching the same target.

The topics covered the themes presented below in brief:

THEME 1: Review of the HIV/AIDS situation and current responses and challenges in Tanzania - (Mrs. Rustica Tembele, Director of District and Community Response/ TACAIDS.)

This presentation touched upon the following main issues highlighted below;

- Overall situation of HIV infections with statistics showing the number of HIV+, orphans, widows and sex/age prevalence.
- AIDS related morbidity and mortality
- Impact of the epidemic
- Factors that drive the epidemic
- Poverty-HIV/AIDS linkage
- Strategies to reduce new infections
- Current responses
- Challenges facing the fight against the pandemic

THEME 2: Tanzania's response on Care and Treatment of PLWHA in Tanzania: challenges for rolling out of ARTs - (Dr .Edwiga Swai, Specialist: Internal Medicine, Muhimbili National Hospital)

This presentation touched upon the following issues highlighted below;

- Background of the National Care and Treatment Plan
- Goals of the National Care and Treatment Plan
- Site preparations prior to ART

- Care and Treatment process
- Eligibility for starting treatment

THEME 3: Overview of Mainstreaming HIV/AIDS in national and sector programs in Tanzania – (Dr. Ely Ndyetabura, Program Specialist, UNDP)

This presentation touched upon the following issues highlighted below;

- Conceptualization of "mainstreaming"
- HIV/AIDS, as an emergency issue
- Tanzania response : The Three Ones
- The perspective of sector responses to HIV/AIDS in Tanzania
- Linkages between HIV/AIDS and Poverty
- HIV/AIDS mainstreaming in the Poverty Strategy (NSGRP)
- Challenges

THEME 4: Presentation of the Toolkit "What Parliamentarians can do about HIV/AIDS; Action for Children and Young People – (UNICEF/AWEPA)

Issues presented in highlight;

- Parliamentarians can change the course of the pandemic
- A 10-point checklist on how to defeat HIV/AIDS
- What parliamentarians can do to protect young people from HIV/AIDS
- What do young people need to do to defeat HIV/AIDS
- What parliamentarians can do to prevent parent-to-child transmission of HIV
- What parliamentarians can do for orphans and other vulnerable children
- What parliamentarians can do to provide Treatment, Care and support for children and young people living with HIV/AIDS

THEME 5: Overview of the Assessment of the HIV/AIDS impact on the National Assembly of the United Republic of Tanzania – (Dr. R.Maeda, Dr.Lyimo, Dr.Cleopas Msuya (Consultants)).

Issues presented in highlight;

A. situational analysis

- interventions of MPs in the areas of
 - ⇒ constituency
 - ⇒ parliament
 - ⇒ personal level
 - ⇒ local council
 - ⇒ political party

- political commitment of MPs in the fight against the pandemic
- impact of HIV/AIDS on the parliament
- Linkages of the parliament with the local and international partners

B. proposed strategy

- workplace interventions
- Mainstreaming HIV/AIDS in the parliament
- Improving database and management of information system
- Monitoring and evaluation

CHAPTER TWO

GENERAL DISCUSSION

The participants, especially the MPs, had an opportunity to contribute ideas on how to successfully win the fight against the HIV pandemic.

The ideas contributed include the following:

- HIV/AIDS should be treated as a common agenda in the Parliamentary committee proceedings
- The MPs should be given enough financial assistance to help the fight in their constituencies
- The role of LGA should be clearly stated and the HIV/AIDS should be integrated in their development plans adequately.
- All Tanzanians should combine our efforts to fight this killer disease HIV/AIDS
- There should be pressure groups on HIV/AIDS in the parliament
- There should be an independent standing committee or a sub-committee on HIV/AIDS.
- There should be enough distribution and accessibility of condoms.
- There is a need to review the involvement of grassroots in the fight against the pandemic.
- There is a need to identify the role of MPs in linking TACAIDS activities and the local communities.
- There is a need to give incentives for those who will reveal their health-status.
- There is a need to have legislation on the control of witchcraft practices which accelerates the spread of the pandemic.
- There is a need to have a proper way to identify HIV/AIDS related orphans.

- Enough awareness still needs to be done on the effects of having multiple partners.
- Something needs to be done on educating the HIV / AIDS campaigners on how to deliver the messages effectively.
- There is need to adequately address the linkage between poverty and HIV/AIDS.
- Openness in the fight against the pandemic is still emphasized.
- There is a need to assess the effectiveness of programs and projects on HIV/AIDS in rural and urban areas.
- There is a need to address the underlying cause of the problem and not just dealing with the symptoms of the problem.
- There is a need to conduct some scientific research to know what can be an alternative entertainment to sex.
- There is a need to consider the psychological approach in the fight against the pandemic.
- The fight against the pandemic should start at the family level.
- Availability and accessibility of women condoms should be checked.
- Special measures need to be put in place on how to deal with HIV transmission in marriages.
- There is a need to conduct an expenditure review of budgeted fund for HIV/AIDS in the constituencies or district councils.
- There is a need to provide food support for HIV infected and affected people and their families.
- There is a need to conduct a scientific research to know why HIV/AIDS is rampant in tropical areas.
- Age restrictions in the fight against the pandemic should be re-visited.
E.g. Age between 15-24; 30-34; 20-24; etc. because HIV/AIDS cuts across all ages.
- There is a need to empower local industries to manufacture ARVs.
- There is a need to address the issue of moral decay especially in this context of globalization.

- There is a need to re-visit the design of various programs and projects in order to adequately involve the beneficiaries
- Media programs need to be well edited and reviewed before being aired.
- There is a need to assess the effectiveness of seminars and workshops on HIV/AIDS where a lot of money is poured
- Teachers should be given special attention in the fight against the pandemic as they are one of the vulnerable groups.
- There is a need to conduct a research to know why is Zanzibar less affected by the pandemic and what can be adopted for the mainland.
- Temptations should be addressed as one of the reasons for the widespread of the pandemic through sexual intercourse.
- The agencies in the fight against the pandemic conflict each other over interests and vision.
- Transparency is needed in the activities done by TACAIDS.
- Care and Treatment services to HIV patients should be accessible and reliable.
- There is a need to fight corruption in health centers.
- MPs should be role models.
- There is a need to tap experiences from other countries.
- There is need to have a good taxation system that will generate fund for the fight against HIV/AIDS.

CHAPTER THREE

OVERALL ASSESSMENT

Assessment of the entire workshop is hereby done on the basis of the strengths and shortcomings

Strengths

- It was very educative and informative
- It had a diverse of participants who shared their different experiences over the topics of discussion.
- The resource persons were very experienced and well-informed with researched data.
- The workshop gave chance for participants to share their ideas.
- There was a good turn out of the participants.

Shortcomings

- Objectives of the workshop were not clearly stated regarding that more than 3 topics were presented.
This was evident when participants were giving some contributions which were out of the main agenda.
- Issues and strategies addressed are common with no new ideas; this made some participants to despair with the outcome of the workshop.
- Many issues were presented and planned to be done with a very short timeframe, this might cause ineffective implementation.
- There was no good organization between presenters, presentations and general participation.
- Issues discussed in the two-day workshop needed enough time in spite of being squeezed to make it especially with the theme on HIV/AIDS which is a multi-disciplinary and multi-sectoral issue.
- There was no clear consensus on what should be done next after the workshop among participants.

GENERAL RECOMMENDATIONS

- ⇒ It is hereby recommended that the question of HIV/AIDS should be treated as an emergency which requires an immediate response.
- ⇒ There is a need to review what has been done so far to know what went wrong and where that even causes the outcomes of all the efforts injected to be very insignificant, knowing that the rate of HIV transmission increases at every wake of a day.
- ⇒ There is a need to assess the effectiveness of seminars and workshops which have been done and consumed time, funds, and labor with little impact on the fight.
- ⇒ MPs need to recognize that there are very special in the society who can use their opportunities as role models to help in the fight against the pandemic.
- ⇒ It is true that the workshop was very educative and informative but a lot still needs to be done which requires us to combine our efforts and change our attitudes.

ANNEX J

WOMEN'S LEGAL AID CENTRE (WLAC)

PRESENTATION ON WLAC ACTIVITIES

DATE: 6TH MARCH 2015

INTERNATIONAL WOMEN'S DAY

VENUE: DEED UMUIS HOUSE

IMPLEMENTER:

WOMEN'S LEGAL AID CENTRE

P.O. BOX 79212

Dar-es-Salaam

Tanzania

Fax No: 255-22-2180227 Tel: 255-22-2183769

Email: ylac@raha.com website: www.wlac.or.tz

INTRODUCTION

In 1989, the SUWATA Legal Aid Scheme for women was launched in recognition of the numerous legal problems facing women and children. Before the SUWATA Legal Aid Scheme, few lawyers were volunteering to offer their skill and time to assist women who could not afford to pay advocate's/attorney's fees for their cases. For sixteen years now, the clinic has been offering services to needy women and children on matters ranging from inheritance, to matrimonial, child custody and maintenance, to land issues, to insurance cases, to labour disputes, and others.

Although the scheme initially focused on providing legal aid services, since the mid-1990s the work of the Centre has expanded into addressing the multifaceted legal problems that face women promoting and defending their rights. For instance: a lawyer who represents a widow in court finds that the matter has to be governed by the Customary intestate law, which categorically denies a widow of any inheritance share. At the end the lawyer is frustrated by 'his' failure to assist the client. Due to such legal complications, the Centre saw the need to engage itself in advocacy at the policy level so that the government would change discriminatory laws and policies and to advocate for equitable gender relations in Tanzania generally. Therefore the Centre began to focus on question such as: whether laws as interpreted by the court are gender sensitive enough to ensure guaranteed rights for women? and whether the general public is sufficiently aware of their legal and human rights to be able to promote, respect, and defend them?

In 1994, the scheme changed its name and structure to *Women's Legal Aid Centre (WLAC)* and was registered as a company limited by guarantee under the Companies Ordinance Cap. 212 of Laws as a voluntary, private, non-governmental, non-partisan and non-profit-making organization. The Centre work has expanded to include a broader outreach programme, training, legal research, and publications as well as advocacy for gender-sensitive laws.

Currently, WLAC is staffed by a program director, two full-time advocates, four full time lawyers, thirteen volunteers and three part-time advocates.

WLAC MISSION

WLAC is a human rights organization, striving to promote and protect women and children's rights by helping to bring about gender equality in Tanzania through legal aid, legal research, human rights awareness campaigns, networking, publications and outreach programmes.

1.1 Specific Objectives

1. Carry on the activities of the Legal Aid Clinic; give legal advice and counselling services, provide court representation, draft legal documents and provide other related legal services.
2. Conduct legal literacy campaigns through seminars, workshops, radio programming and conferences; undertake study tours and exchange visits between Tanzania and other countries.
3. Build a joint network with other NGOs, government institutions and agencies that have activities related to WLAC's.
4. Lobby for changes to discriminatory policies and laws, advocate for equitable change in gender relations and sensitize the public to women and children's rights.
5. Encourage women to establish self-help groups and offer legal education on how to organize businesses under the laws of Tanzania.

1.0 LEGAL AID SERVICE

From 2000-2003, WLAC staff attended to more than 9,988 clients. Services provided include court representation, drafting of legal documents, legal counselling and coaching and court follow-up visits. The Centre is also involved in legal education and has provided many programs geared to educate women and children of their rights.

The Centre assists many clients, but practical limitations mean that Centre advocates are not able to represent all clients in court. Principally some of the criteria for representation have been: health problems, old age, legal technicality, and cases with public interest which are likely to set precedent. However, other clients, whose matters do not meet these standards for representation, are

coached on how to argue their cases themselves, and WLAC often drafts legal documents for such clients.

In some cases the Centre does reconciliation. Practice has shown that even though recourse to the court is possible, many matters can amicably and expeditiously be resolved out of court. The major advantage with this system is that it reduces by a great deal the time that would have been used up in court.

Common issues in the Centre's legal aid service include:

- o An alarming numbers of cases involving property grabbing, particularly done to widows and orphans. Perpetrators of these acts are from all walks of life -- rich and poor, educated and uneducated.
- o An increased number of children born out of wedlock, with fathers denying responsibility.

Although the centre is working hard to meet clients' satisfaction, still our clients face a number of problems while pursuing their cases:

- Cases take a long time to be determined by court.
- Clients suspect corrupt practices by judicial personnel that may lead to delaying or losing their cases. Some of our clients have won their cases, but then their court files have disappeared and hence the court decree has not been executed.

CLIENT'S STORY: HIV/AIDS

Asha was married to Ally. During their marriage, the two acquired properties together. They had residential and commercial buildings as well as other investments. After Ally's death, the deceased's brother and his widow applied for letters of administration and were granted. Both of the couple's properties were given to her nephew, as well as the house where Asha and Ally had been living. Ally's father was further given a residential plot that had been a source of income for the family. Asha was initially dissatisfied with the distribution of the properties but eventually agreed to it. In the same year, she was HIV positive. Four months later, when she was brought to WLAC, she learned her nephew conspired with her husband's relatives and through her condition was possible to take full advantage of her health status to victimize and discriminate against her.

The Centre has an increasing number of clients coming in who are HIV positive and seeking legal advice. Most of the clients express concerns about their health status to the Centre's volunteers. While we can provide them with a number of services, the privacy and confidentiality of their cases are at risk simply because

20 PARALEGAL PROJECT

Additionally, WLAC runs a paralegal program that currently places 19 paralegal units in rural communities with otherwise extremely limited access to legal services. WLAC has paralegal units in the following areas: Mwanza, Morogoro, Shinyanga, Arusha, Tanga, Coastal, Iringa, Mbeya, Lindi, and Mtwara. Others are Kiteo and Katesh in Arusha, Dodoma, Kigoma, Kilimanjaro, and Songea. Some of these units have now worked more than 10 years with the community.

Client No 2:

Anne lived with James for 16 years. They acquired several properties together including a matrimonial house. But she has been experiencing domestic violence, and on several occasions she was beaten and verbally abused. In the end of December 2011 he battered her with a stick to the extent of seriously injuring her eye. She was admitted to Mumbili Hospital, and her injured eye was removed.

Client No 3:

Rose came to Dag three years ago after being married to John. Rose was living with her grand mother in Mwanza when John came to the village to propose and pay the bride price. When she came in Dag, however, she found out that she was a second wife. Her husband gave her a job and a piece of land to support herself, but soon after arrival she began to experience pain physical and psychological abuse. She was not being supported in any way, but she was expected to provide support, rights to her husband. Because of these things work in the city, she was not interested.

As it was not enough, she found that she was married under what she described as a husband. In fact, her husband had not a wife. WLAC found that John had married a woman after her death to provide a name for her children. She had a name that was not her own. Now that she knows that the husband is not her husband, she is now looking for the official divorce of the other partner.

CLIENTS STORIES: DOMESTIC VIOLENCE

our offices are so small. In order to address this problem, it is necessary for WLAC to have the facilities to conduct private meetings with clients. Additionally, with further funding we will be able to educate the public on the importance of writing a will and to help more clients who have HIV/AIDS to design wills so that after they pass away, their children will have security.

From WLAC's experience since the early 80's, there is pressing need for these services, and high demand for expanding the paralegal program continues. Paralegals will be able to assist more people in communities where the service of advocates is limited. With very few resources, existing paralegal centres have made significant achievements in promoting equality and justice in their communities.

Current law regulating legal assistance and representation in court does not recognize the role of paralegals. Therefore, paralegals need to enjoy both legal and community recognition to be able to advance human rights through the court system and community legal awareness programs.

The Centre has recently begun working with other organizations to promote justice for needy women and children through the service of paralegals in Tanzania. The Centre is currently facilitating the creation of a forum of main actors involved in paralegal services. The forum will be a place for experience sharing and identifying common issues or areas for collaboration.

The National paralegal symposium, August 23rd - 24th 2005 in Dar-es-Salaam, will for the first time in the nation's history combine all actors, including relevant government departments, to discuss various issues that have emerged in promoting the role of paralegal. Civil society and paralegals will have an opportunity to share their experience in the field. Other invitees from Kenya, Uganda, South Africa and Nigeria will be invited to share their experiences as well.

Envisaged future activities:

- ◆ To lobby and advocate for judicial acceptance of non-lawyers to ensure friendly atmosphere towards non-lawyers
- ◆ To meet the pressing need to design a unified mode of training for NGOs with paralegal programs
- ◆ To formulate a Paralegal Code of Conduct.
- ◆ To reward and where possible to compensate the activities of paralegals.
- ◆ To build the capacity of paralegal.
- ◆ To have a systematic documentation process of paralegal stories, successes and experiences that can be shared among paralegals both inside and outside Tanzania and to publicise their work.
- ◆ To identify and join regional networks on paralegal services for information sharing and contact building

3.0 PUBLIC AWARENESS

3.1 Radio program

The Centre runs a radio program, MWANGAZA, which is aired every Sunday from 1:30-2:00 p.m through Radio Tanzania. The radio program in many ways complements the legal aid service. Some of WLAC's clients come to the Centre for the first time after hearing the radio program.

4.0 ADVOCACY AND MONITORING IMPLEMENTATION OF INTERNATIONAL CONVENTIONS

WLAC undertakes most of its advocacy work through networking and alliance building with other like-minded civil society organizations. WLAC has been active in protecting women's rights in the new land laws. The Centre is a member of the Gender Land Taskforce.

4.1 The Centre carries out Legislative drafting as a strategy to lobby for change of various discriminatory laws:

- Drafted an NGO perspective inheritance bill on behalf of the Taskforce for equal inheritance rights. This has been submitted to the Ministries concerned.
- Drafted an NGO perspective domestic violence bill which is now presented to the public for discussion and input

4.2 Strategic litigation

The Centre uses regional human rights bodies to enforce women's rights. For the first time in 1999 a case was submitted at the Africa Commission of Human Rights on behalf of our client who was claiming her share over matrimonial property.

SOPHIA MOTTO'S CASE: Communication 243/2001

Sophia had established matrimonial proceedings against Anthony seeking dissolution of her marriage with Anthony, division of matrimonial assets, jointly acquired during the marriage and damages arising from an ill-treatment between Anthony and Sophia.

Because the Court did not want Sophia summons for notice to attend in court, Sophia lost her case because she did not appear in court. Sophia's lawyer advised her to appeal to the Court of Appeal. On technical grounds it was impossible for Sophia to appeal to the Court of Appeal. When submitting the matter to the Commission we argued that under the African Charter on Human and People's Rights she had a right to be heard and a right to be heard on her right to be share of matrimonial property. Unfortunately we lost the case on the ground that she was not denied by the State her right to fair trial and any problem as a result of her advocate's non-appearance was her fault.

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The case submitted to the Commission was an experience and learning process to us as activists on how we could use available human rights frameworks to advance human rights locally.

WLAC has also decided to commence strategic litigation as one of the means of checking existing discriminatory laws, especially customary laws of inheritance. The idea was to start with a case against modified laws of inheritance as embodied in the Customary Law Declaration (No. 4) Order, 1 a 63 GN 346/63. It is anticipated that this strategy if successful will result in the said GN 436/63 being struck off from the statute books. The law is unconstitutional and contravenes various International Human Rights Conventions that Tanzania has signed and ratified including the Convention Against All Forms of Discrimination Against Women (CEDAW).

4.3 CEDAW implementation

The Centre is monitoring the implementation of CEDAW as a coordinator for the taskforce on CEDAW on behalf of the civil society.

4.4 Monitoring the implementation of the Copenhagen Declaration on Social Development

Social Watch Programme is an initiative of the Non Governmental Organizations (NGOs) that attended the World Summit for Social Development in 1995 in Copenhagen to monitor governments' implementation of commitments on social development. In East Africa - Kenya and Uganda founded this programme in 1995 while in Tanzania the programme started officially in 1999.

In order to ensure appropriate coordination of the Social Watch Programme in Tanzania, founders appointed Southern African Human Rights Non Governmental Organizations Network (SAHRINGON) Tanzania chapter to coordinate it. However, since SAHRINGON (T) chapter works through its members it appointed Women Legal Aid Centre (WLAC) through its executive meeting to coordinate the programme on its behalf.

Objectives of the Tanzania Social Watch are as follows:

- a) To monitor and evaluate the government's fulfilment of the Copenhagen Declaration

- b) To raise awareness and sensitization on Government responsibilities on the Copenhagen commitments.

The program works:

- a) To determine the government's fulfilment of the Copenhagen Declaration particularly on (1) Human Rights, (2) Education and Health, (3) Gender Equity, (4) Poverty Eradication and (5) Democratic Development. (Hereinafter referred to as the '5' selected issues).
- b) To make recommendations to all parties concerned (government ministries and extra ministerial departments) on how to continue working on the '5' selected issues.
- c) To engage the SAHRINGON/Tanzania Social Watch members in the follow-up of the implementation of the Millennium Development Goals in the country by establishing the linkages between the MDGs and the ongoing PRS- Review through tracking and engaging in the PRS -II Review process
- d) To develop the tracking mechanism for the PRS-II review to ensure integration of MDGs in the process.
- e) To assess the progress made by the government on social development through implementation of the Copenhagen commitments and the MDGs, on the five selected issues – Poverty alleviation, Human rights, Gender Equality, Health and education, and Democratic Development – in the Districts of Kibondo-Kigoma and Iramba - Singida in 2004
- f) To secure the commitments of the sectoral/ministries in the implementation strategy of the five selected issues in relation to MDGs and PRS
- g) To engage the Local government authorities in the districts of Iramba-Singida, and Kibondo -Kigoma in the implementation process of the commitments, and MDGs.
- h) To strengthening the Social Watch focal points established in the district of Nachingwea -Lindi and Bagamoyo- Coastal Region by 2004 - 2005
- i) To develop public awareness and community mobilization on Copenhagen Declaration and MDGs by 2005.

5.0 Partnership

For three years the Centre has been collaborating with Georgetown University Law School on research and advocacy efforts for equality in Tanzania. The Centre has hosted fact-finding missions from Georgetown, and consultative workshops have been held to engage the public on the need to change discriminatory laws.

6.0 CHALLENGES

- How to effectively use the human rights framework to enforce women's rights through the recently established Human Rights Commission and other regional bodies
- Sometimes our advocacy campaigns are being hindered for lack of political will on part of the government to change some of the discriminatory laws
- The patriarchy system is so strong because it cuts across all sectors of life
- Financial sustainability is a challenge for WLAC's future operation. Most of WLAC's support comes from donors and very minimal amount is through membership contribution. The issue is how are we able to sustain WLAC without relying so much on donor support?

7.0 PROBLEMS

- **Lack of adequate office space to attend clients.**

The space available is very limited hence we see the need to improve the quality of service rendered.

Proposed solution:

The Centre, in its three year plan will focus on ensuring the increased volume of client cases are handled with no delays. This can be achieved by first increasing the number of volunteers. Furthermore, the centre aims to ensure clients that the Clinic is safe and confidential by obtaining a more spacious office that will allow lawyers to talk to each client individually without the interruption of other clients or people who visit our office.

- **Assess impact of the program**

There has been a challenge in assessing the impact of our programs, from what the Centre does in court to what we are able to deliver at the community level where public education is being conducted.

Proposed solution:

Need to have an effective monitoring and evaluation system. The centre will develop an improved monitoring and evaluation system and ensure its implementation so as to review the quality and effectiveness of our programs.

- **Lack of a mechanism to protect victims of domestic violence**

Tanzania currently lacks a system of emergency shelters or any other recourse for victims of domestic violence. We have experiences of clients who seek legal assistance coming to our offices for shelter, as they have no place to go. Most of our offices are not conducive to accommodating them.

Proposed solution

Since June 2004 WLAC started mobilizing various NGOs to come together and identify common areas where we can work together to protect and help victims of domestic violence. One of the areas identified is for local NGOs to establish a

system of shelters to help victims -- a place where victims could stay for few days while their matters are being resolved. A Taskforce against domestic violence (TADOVI) has been formed. The Taskforce is soliciting our partners to help construct a unique women's shelter in Tanzania to be a safe place for women and children who are victims of domestic violence through purchase of a plot of land, construction of appropriate facilities, and sufficient staff to establish effective functioning of the shelter.

8.0 IMPACT

- Some women have been empowered to understand the effects of domestic violence and other human rights abuses and take measures to vindicate their rights by going to court or seeking assistance from the legal aid service.
- Legal aid service is a tool through which human rights are realized. Women and children who win their cases in court are able to enjoy their human rights by seeing that justice has been done.
- Children who received our services are well taken care of, as irresponsible parents realize that under the law that they are obligated to raise their children. This has the impact of developing good citizens now and in the future.
- Women and men in the community are beginning to talk about women's rights and see the need for possible responses to gender inequality.
- Recognition of the Centre also indicates the impact of its good and appreciated services.

ANNEX K

Strategic Objective 3: Civil Society and Government are more effective Partners in Governance

IR 3.2: Targeted Government (Parliament) is more responsive to public concerns on selected Issues.

Expected outcome: laws in place that have better public inputs.

A. Number of public hearings on Bills.	Indicators	Target	Progress/ Reporting Period
<p>Baseline: number of MP/Parliament Initiated public hearings held in 2003</p> <ul style="list-style-type: none"> ▪ Confirmed as 0 in 2003 ▪ Confirmed as x4 in 2004 	<ul style="list-style-type: none"> ▪ Number of public hearings initiated by either the MPs or the Parliamentary Committees (quantity) ▪ Number of actions or recommendations submitted and agreed to be taken forward by the Parliament, (quantity) ▪ Are those actions recommendations of substance (i.e. question the viability of the Bill or merely grammatical)? ▪ Number of CSO issue papers submitted to Committees which prompt the Committee to invite the CSO to provide expert testimony, (quantity and quality) ▪ Review of the current Standing Orders to assess whether they deter the public from getting involved by no later than the 3rd quarter of the 2004 Session. 		<p>X6 public hearings held Mwanza, Tabora, Mbeya, Arusha and Zanzibar on the Constitutional Amendment Bill 2004 in January 2005</p> <p>X8 recommendations for change</p> <p>The item removed was the issue of the National Advisory Council which was withdrawn from inclusion in the Bill.</p> <p>X5 CSOs participated as legal experts in the public hearings</p> <p>Action complete.</p>
<p>METHOD OF DATA COLLECTION Clerk Assistants</p>			

Strategic Objective 3: Civil Society and Government are more effective Partners in Governance

IR 3.2.1. Government (Parliament) capacity to engage in the policy/law process strengthened.

Expected outcome: Parliamentarians are better able to understand the implications of the legislation tabled.

B. National budget formulation – helping Parliament to play a more prominent role in the design of the national budget by involving them in the initial stage.	Indicators	Target	Progress/ Reporting Period
<p>Baseline: number of Bills submitted and amended during 2003. (Key Committees will be those with x3+ Bills submitted for consideration in the last year. Priority will be aimed at Finance, PAC, LAAC, Community Development, Natural Resources & Environment, Social Services, Agriculture and Land PAC, LAAC, Community Development, Natural Resources and Environment, Social Services, Agriculture and Land Development, Economic Infrastructure).</p> <p>Baseline: Number of times during 2003 when the Parliament was invited to attend and actively participate in the meetings with the PER and PRSP secretariat.</p>	<ul style="list-style-type: none"> ▪ Number of substantive amendments made on Government sponsored Bills submitted to the Parliament Committees, ▪ Initially helping the PAC, Finance Committee, Local Authority Accounts Committee and Economic Infrastructure Committees to gain access to the PER/PRSP secretariat located within the Vice President's Office. 		<p>Current Standing Orders do not permit substantive changes to be made by Committees.</p> <p>National Strategy for Growth and Poverty Reduction (NSGRP) issued to MPs. Additional briefing needed and approaches have been made to VPO Secretariat.</p>
<p>METHOD OF DATA COLLECTION</p> <ul style="list-style-type: none"> • Clerk Assistants • Records of the number of times Parliamentarians attend such meetings in the VPO • Devising post training questionnaires (Interviews or focus group discussions for MPs with the aim of identifying whether the links have made between the Committees and the Executive branch. 			