



THE UNITED REPUBLIC OF TANZANIA

**TANZANIA'S THIRD PHASE GOVERNMENT
FIGHT AGAINST CORRUPTION: A BRIEF
ON THE PROGRESS OF GOOD GOVERNANCE
PROGRAMME 1999 – 2001**

**President's Office,
State House,
Dar es Salaam.**

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INTRODUCTION:

The Third Phase Government of the United Republic of Tanzania (URT), which came to power in 1995, has made the fight against corruption one of its priority areas. One of the campaign platforms for the ruling (CHAMA CHA MAPINDUZI) party and its Presidential candidate was to make the fight against corruption a priority if it returned to power. This earned the ruling party and the Presidential candidate great respect among the people and the Presidential candidate and his party was elected to power. In documenting the progress in re-inventing governance and the fight against corruption, the first brief was published in 1999 (Tanzania's Third Phase Government Fight Against Corruption: A Brief on Achievements and Challenges 1995 - 1999). This second brief presents progress in facing the challenges outlined in the First Brief of 1999.

The fight against corruption has gained momentum and achievements can be documented. The priority is prevention of corruption through administrative, institutional and legislative reforms. The achievements include: The National Anti-Corruption Strategy and Action Plan prepared through a participatory approach and adopted by the Cabinet. Ministries, independent government departments, non-governmental organizations, and civil society were at the center of formulating the strategy while the President's Office played the role of coordination. Also sector Action Plans have been prepared and are under implementation depending on the availability of resources.

The implementation of the anti-corruption strategy has improved the fight against corruption to a great extent. Legislative and administrative reforms to achieve greater transparency and accountability have been implemented in many departments. More reforms are in progress in various ministries and independent departments. Among other things, the reforms aim to plug all loopholes, which allow corruption to take place. However, the war is not yet won. We still have a long way to go and we are prepared to do more consistent with our capacity.

Economic Growth enhances the government capacity against corruption because poverty is one of the major causes of rampant corruption, particularly petty corruption. Substantial progress on the economic front has been made. For example in 1999 the economic growth rate was 4.7 percent whereas in year 2000 real economic growth was 4.9 percent. Inflation declined consistently during the year from 5.9 percent to 5.3 percent in April 2001 and it is expected to reach 4.9 percent at the end of June 2001. External reserves position remained strong recording unprecedented level of over one billion US Dollars in March 2001. The Government is strengthening budgetary performance, through increased revenue collection to about 15 percent of DGP in the medium-term and 18 percent over the long term, which is the average of sub-Saharan countries with the overall fiscal deficit being financed from non-bank resources. As it will be shown on the efforts being made by the Tanzania Revenue Authority, curbing tax evasion, broadening of the tax base and further improving tax administration are the priority areas.

The Government's intention is to attain economic growth at a rate of 5.9 percent this year and 6.2 percent year 2002. We work to decrease the inflation rate to 4.4 percent instead of 4.9 at the end of this year 2001. To broaden the tax base in order to attain 12.1 percent of the Gross Domestic Product (GDP).

Tanzania's good governance vision is clearly stated in the government's policy paper vision 2025 that states "Tanzania cherishes good governance and the rule of law in the process of creating wealth and sharing benefits in society and seeks to ensure that its people are empowered with the capacity to make leaders and public servants accountable. By 2025, good governance should have permeated the national socio-economic structure thereby ensuring a culture of accountability, rewarding good performance and effectively curbing corruption and other vices in society".

The National framework on good governance document defines good governance as the exercise of official powers in the management of a country's resources in an effort to increase and utilize such resources for the betterment of life. The exercise of power spells out the conditions and environment for participation by the various stakeholders. Good governance calls for a system of public management, which is transparent and responsive to popular interests. Public officials in the exercise of their functions should demonstrate capability, efficiency, ethics and professionalism in the interest of the served public. Good governance has two distinct dimensions: one is political, that relates to the degree of genuine commitment to the achievement of good governance; the other is technical, that relates to issues of efficiency and public management.

For Tanzania to realize the above vision, it has set a framework that elaborates the priority areas for which deliberate interventions need to be focused in a continuous but gradual approach. Currently efforts are being made to assist the local governments in the development of their strategies and action plans.

1.1 Fighting Corruption and Institutional Framework:

The Constitution of the United Republic of Tanzania 1977 Article 9(h) obligates the government and its agencies, to eradicate corruption and other forms of oppression. Therefore, it is a collective duty of the Executive, the Parliament, the Judiciary and citizens to fight corruption.

To ensure an effective implementation of the anti-corruption activities the office of the President has established the coordination mechanism under the Minister of State responsible for Good Governance. Two senior officials have been recruited in the President's Office to assist the Chief Secretary who is the Chief technical advisor in overseeing and coordinating anti-corruption and good governance activities in all sectors of the government. The Prevention of Corruption Bureau (PCB)

also in the President's office has a statutory mandate (Prevention of Corruption Act No.16 of 1971) to advise on the prevention and to combat corruption in the country. Other agencies that work very closely with the PCB are the Police Force; the office of the Attorney General; the Office of the Controller and Auditor General; the Ethics Secretariat and the Permanent Commission of Inquiry (PCI) that has been replaced by the Human Rights and Good Governance Commission planned to be operational on 1st July, 2001.

1.2 The policy and action plan to fight corruption:

The Government's policy is zero tolerance to corruption. To operationalize the policy, plans and strategies have been put in place. In 1999, the National Anti-Corruption Strategy and Action Plan (NACS) was approved and among other things, it aims to make the fight against corruption orderly, inclusive and systematic. It seeks to achieve *inter alia*, the following:

- (a) A sector specific development of anti-corruption action plans that are clear, concise, coherent, and comprehensive that would attack and eliminate all identified causes and manifestations of corruption in all sectors i.e. government ministries, local government, civil society, private sector and the media.
- (b) The capacity of the anti-corruption institutions to be strengthened, particularly the PCB, in terms of staffing, training and investigation capacity to enhance their efficiency, and effectiveness.
- (c) The remuneration package for public servants to be improved as the economy grows to match with the cost of living.
- (d) The anti-corruption legal framework to be reviewed and necessary legislative amendments be effected to enhance effectiveness of the enforcement machinery.

- (e) Preventive measures are emphasized, as well as, advocacy (public sensitization) and outreach programmes to increase public awareness in combating corruption by reporting corrupt officials.
- (f) Coalition building amongst stakeholders, namely: government, civil society, private sector, media and international community.
- (g) Ethical and moral values in society are strengthened in a bid to develop an anti-corruption culture.
- (h) Promotion of transparency and accountability in all public offices and ensure timely and quality service delivery to the public.
- (i) Promotion of code of ethics and conduct for all professionals to combat unethical behaviour in their professions.

The emphasis of our strategy is prevention but deterrent measure are also very important to make corruption a very costly business.

2. PROGRESS ON FIGHTING CORRUPTION

2.1 Prevention of Corruption Bureau (PCB):

The Prevention of Corruption Bureau has recorded an increase in the number of reported corruption incidences from 432 cases in 1998 to 1461 cases as of December 2000. These include reports from government departments, parastatals, political parties institutions and the private sector. Until March 2001 there were 103 cases in different Courts around the country. Last year alone there were eight (8) convictions against one (1) acquittal and eleven (11) withdrawals. The rise in reported cases is evidence of the rise in public confidence and cooperation.

The PCB has established Regional Bureau Offices in every Region of Mainland Tanzania. Processes are underway in consolidating these offices and establishing District Bureau offices in the 2001/2002 fiscal year. The aim is to provide professional guidance and services closer to the people living in rural areas.

The Bureau is also conducting regular meetings and outreach programmes through radio, TV, news letters, posters, leaflets, debates and sports in order to have an informed public on their rights and obligations in minimizing corrupt practices in all sectors.

The achievements of the PCB are due to the deliberate efforts by the government to increase manpower and funding. Funding has increased from Tshs.191.7 million in 1995/96 to Tshs 2.1 billion in 1999/2000. The PCB has been receiving nearly 129% of its approved budget. Manpower has increased from 142 employees in 1995 to 434 employees in 2001, an increase of nearly 306% at a time when employment opportunities in other government ministries and departments is under freeze due to budgetary constraints. This is ample demonstration that the government is very serious in the fight against corruption. The recruits for the post of investigators are graduates from various professions, including law, engineering, accounts, forestry, geology, political science, sociology etc. Their education levels range from first degree to Doctor of Philosophy (PHD) degree.

To strengthen PCB Regional Bureau Offices and open District Offices motor vehicles, computers, communication equipment, photocopiers and stationery will be required and raised from extra-budgetary sources.

2.2 The Ethics Secretariat:

The Ethics Secretariat is another important institution, established under Article 32 of the Constitution and charged with enforcing ethics to public leaders in accordance with Public Leadership Code of Ethics, 1995. The Secretariat's functions complement those of other organs of

government charged with combating corruption by ensuring that public leaders do not use their official positions for private gain through misuse of public office, illegal acquisition of wealth, conflict of interest, nepotism and theft. The Secretariat has made progress in strengthening its capacity by recruiting and training of professional enquiry and research officers and support staff. It has acquired some working technical tools. It has organized and conducted seminars and workshops to sensitize public leaders and the general public on the need for the public leaders to abide by the Code of Ethics. The Secretariat has also put in place a radio programme on ethics once a week in order to reach a wider public.

In February 2001 Parliament amended the Public Leadership Code of Ethics Act, 1995 (Public Leadership Code of Ethics, Amendment Act, 2001) to authorize the Secretariat to receive anonymous complaints; empowering it to conduct proactive investigations against leaders suspected to be in breach of the Code of Ethics; requiring public leaders to state the value of their assets and the means with which they acquired those assets; requiring public leaders to declare any gifts received whose value is in excess of 50,000/=, and provision of penalties and sanctions to defaulting public leaders. The Provisions of S.12(2) of this law provides:

“The Public Leader shall, where he receives a gift of a value exceeding Tshs.50,000/=

- (a) declare the received gift and its value;
- (b) submit the declaration of the gift to the accounting officer of the office concerned, who shall in writing direct as to the use or disposal of the gift.

The above provision is very important because gifts may be one form of corruption. Gifts are also prohibited under S.6 of the Prevention of Corruption Act, 1971 if offered to a public official with the intention to corrupt his decision.

2.3 Human Rights and Good Governance Commission:

The Parliament passed a constitutional amendment in year 2000 to establish The Human Rights and Good Governance Commission. In implementing these constitutional changes a law has been passed and received the President's assent (Human Rights and Good Governance Act, 2001). It is planned that the Commission be constituted soon to be able to start work in July 2001.

2.4 Regional Administration and Local Government:

Using the consolidated and detailed implementation plan, the President's Office - Regional Administration and Local Government (PO/RALG) prepared a matrix illustrating the Ministerial Action Plan indicating priority areas. The PO/RALG Anti-corruption Strategy and Action Plan which was finalized in December 1999 identified the following problem areas:

- i. Inadequate financial discipline and poor financial management capacity.
- ii. Procurement procedures that have openings for corrupt dealings.
- iii. Lack of public awareness of clients and customers who obtain services from the Ministry and its institutions, which include Local Government Authorities, Regional Secretariats, Development Programmes, Local Government Service Commission, Local Authorities Provident Fund, Local Government Loans Board, and Kibaha Education Centre.

- iv. Employment and Welfare benefits procedures which are areas vulnerable to corruption practices. These areas include transfers, training, appointments, promotions and confirmations. The institutions involved includes the entire PO/RAIG and all those institutions mentioned in section (iii) above.
- v. Decisions on appeals from Employees, Councilors, Institutions and Individuals. These are also windows for corruption.

Measures Taken:

From 1999, measures and regulations have been put in place to deter the identified corrupt practices. These cover the following areas:

- i. Administrative Actions (Reforms and Deterrent measures).
- ii. Legislative Reforms.

Administrative Actions:

Public and Sectoral reforms have been going on even before the preparation of the National Anti-corruption Strategy and Action Plan in 1999. The Public Sector Reforms involving the restructuring of the Regional Administration was effected through Act No.19 of 1997. The Local Government Reform Agenda was adopted in 1996. All these fall under the mandate of the PO/RAIG. There are sector reforms, which also involve PO/RAIG in as far as they involve Local Government Authorities. These are the Health, Works, Education, Water and Agricultural Sectors. The reforms aim at transparency in operations, use of rule of law in administration, motivation of the Public Servants and private sector, and empowerment of the local communities so that they are aware of their rights.

Legislative Reforms:

All the measures employed cannot be effectively implemented without legal backing. Accordingly, therefore, the initiatives have been complemented by legislative reforms. As said earlier, all reforms and initiatives whether public or private have a bearing on the operations of PO/RALG as long as they involve the Local Government Authorities. In view of this premise, the following laws have been enacted by Parliament in order to foster and accelerate development and thereby eliminate poverty.

1. Act No.19 of 1997 regarding Regional Administration.
2. Act No.6 of 1999 regarding Local Government miscellaneous amendments.
3. Act No.6 of 2000 establishing the Local Authorities Provident Fund.

Resource Constraints:

There is a direct relationship between resource constraints and corruption. In fact scarcity like poverty breeds corrupt relations between the haves and have-nots.

Resource constraints result into poor motivation, inadequate funding of operations and projects, lack of working equipment and tools, rescheduling and favouritism in meeting financial obligations and debts, and poor quality output. All these are fertile areas for corruption.

The government is addressing this problem from several fronts, including:

- Increased and efficient collection of revenue.
- Having some of the non-core functions to the private sector.

- Involvement of the key stakeholders in the planning, financing and implementation of development programmes and inservice delivery.
- Cost sharing and cost recovery arrangements.
- Transparent allocation of resources.

The PO/RALG has initiated several programmes that facilitate the implementation of these arrangements which include:

- i. Leading the Local Government Reform Programme.
- ii. Preparation of the Rural Development Policy, which lays emphasis on participatory development.
- iii. Formulation of the National Framework on Participatory Development using Tanzania Social Action Fund (TASAF) initiatives as replicable best practices.
- iv. Emphasizing on fully funding few operations and projects instead of under-funding many projects.
- v. Emphasizing financial discipline by issuing reviewed financial regulations to Local Government Authorities.

Future Plans and Challenges:

Future plans which will assist to engender reduced corruption need to aim at participatory development, transparent operations, accountability, reduced poverty and broad based growth in the individual incomes. To achieve this, the private sector need to be developed, communities empowered, roles and functions of different stakeholders defined, liberalized but regulated economy, rights of individuals (including public and private employees) advocated, proper incentive schemes introduced in the services and productive sectors and reducing resource constraints by creating a conducive environment for private (external and internal) investment.

The magnitude of the Challenge to fight corruption is basically that it has become deep-rooted in the society. Others include:

- Change the mind-set of the society so that people can believe and see that services can be obtained without paying extra money under the table.
- Reducing poverty to make people less vulnerable to corrupt practices.
- Increasing the revenue collection at the national, district and village governments so that what is needed and planned is fully funded and attractive incentive packages, are provided in the public and private sectors.
- Improving the technology level and management capacity so that wastage is minimized. Wastages and under-utilization of existing capacities and potentials delay the poverty reduction process.
- Reducing donor dependence. Programmes, which are funded, operated and managed by donors, have more attractive remuneration packages. This makes other public sector workers feel that they are under paid. This may cause discontent and resort to corrupt practices.

2.5 Civil Service Department (CSD):

The Civil Service department is a central player in the process of good governance. All the institutional restructuring and reforms going on do need human resources capacity, streamlined regulations, and procedures, and simple directives. It is this department, which not only establishes and reviews both standard administrative and ethical procedures for public servants, but it also controls and monitors the behaviour of those employed in public service. The Civil Service Reform and the Pay Reform programmes currently going on are aimed

at having a small competent, highly motivated and ethical civil service in order to carry out public duties efficiently and effectively. All other reforms such as the Legal Sector Reform, the Local Government Reform Programme and even the Privatisation Schedule have a bearing on the interests of the respective institutional servants. The Civil Service Department has the task of re-educating retrenched and provides guidance as to the opportunities available to them in the open market outside the public service. The department has established an Ethics Unit, which monitors the ethical behaviour of civil servants, and takes remedial measures or sanctions where necessary. This Ethics Unit liaises with the Ethics Secretariat and the PCB where appropriate in order to strengthen professional ethical monitoring over public servants.

2.6 Vice-President's Office:

The Vice President's office is mandated to coordinate the implementation of Poverty Reduction Strategy and Environmental Conservation activities. The preparation and implementation of a plan to fight poverty (Poverty Reduction Strategy Paper - PRSP) is in full swing. The PRSP is part of the Government efforts to continue fighting poverty using the resources expected to be gained through the Highly Indebted Poor Countries - HIPC initiative. The strategy outlines priority areas, namely, primary education, primary health, agriculture, rural roads and strengthening Good Governance.

With regard to Environmental Conservation, the Vice President's Office Coordinates activities in all sectors to ensure safe and fertile soil, safe and clean water, and air. Tanzania is a party to important International Conventions aimed at a sound and sustainable clean environment. Apart from cooperating with other governments, non-governmental organizations have been dependable partners. However, various loopholes that facilitate corruption have been identified by the

Vice President office and an action plan instituted to deal with them. For example:

- Lack of transparency on procedure used on tax exemption for NGOs:
 - To prepare and approve NGO tax exemption procedure.
 - To print 1000 NGO tax exemption procedure and distribute them to NGOs.

Clear and adequate Environmental Impact Assessment (EIA) guidelines and procedures are lacking to guide investors in assessing the environmental impact of their development activities when implementing projects:

- The National Environment Management Council (NEMC) has prepared proposals on Environmental Impact Assessment guidelines and procedures and submitted them to the government. Approval of the same is expected soon.

2.7 The Prime Minister's Office (PMO):

The Prime Minister's office being the central coordinator of government business is also seriously engaged in the fight against corruption. In addition to general coordination responsibilities, the PMO is responsible for overseeing the provision of the following services: Disaster Relief Services, Tanzania Broadcasting Commission, Radio Tanzania Dar es Salaam (RTD), National Television (TVT), Parliamentary and Political Affairs Department and National Press Conference Services. The PMO has identified several corruption problem areas and come up with an action plan to deal with them:

- (a) The current government procurement system is fraught with corruption and embezzlement of public funds through inflated price quotations, supply and receipt of sub-standard goods and services procured. By the use of platinum centralized system procurement is done on cash basis. Administrative measures to require stores officers to uphold financial orders to ensure quality and prompt delivery of goods and services have improved the situation.

- (b) Existing procedures in making sundry payments do not provide for an obligatory time span for effecting payment after receipt of supplies. This causes delays, uncertainty on the part of suppliers and therefore induces suppliers to bribe for early payment to avoid time wastage. Furthermore agents or middlemen are no longer allowed to collect cheques on behalf of suppliers as this practice was found to provide room for corruption. So no more delays for most supplies except for vehicle maintenance and repairs which due to urgency and heavy costs still remains uncontrollable.
- (c) Lack of comprehensive and transparent training programme gives room for corruption. Currently training is not strictly based on needs analysis; funds are inadequate and consequently, training opportunities for various cadres are unknown to staff. This has been corrected by training being carried out on a very small scale, depending on availability of funds.
- (d) The current practice governing promotion is fraught with secretiveness, lack of openness and privilege concept. This creates room for corruption. Currently staff performance appraisal is highly confidential, no dialogue, no transparency and promotion is considered a privilege not a right. A system is still being worked out by the Civil Service Department to introduce the required changes. PMO has taken steps to effect mass promotions in arrears.
- (e) Issuance of permits to private printers to print government documents provides loopholes for corruption. To ensure security, government documents are required to be printed by Government Printer. However, on various pretexts of inefficiency Ministries acquire permits to print them at private printers. Corruption is suspected to be behind this saga of permits problem. Measures to plug loopholes taken include *inter alia* promotion of printing

efficiency through rehabilitation of old machinery and replacement of non-working machinery at government printers. The printing efficiency has improved so much that no more permits are issued to ministries to print outside Government Printer. However, there are still some public institutions, which print their documents outside Government Printer without the latter's permit as there is no law to force them to print their documents at Government Printer.

- (f) Journalism ethics and professionalism requires investigative responsible reporting or information to the public. However, of late there has been a proliferation of unprofessional and irresponsible reporting by journalists. This is unethical and gives room for corruption and generates public resentment. The problem still remains unsolved for lack of funds and professional preparedness.
- (g) Misuse of Government property and services leads to unnecessary high costs to government and induces corruption as it leads to high purchases and maintenance costs - areas that are fraught with corruption. Government properties (vehicles, computers, telephones and photocopier) are often used without care, economy, maintenance, and may be operated by unskilled staff. Consequently, it costs the government highly. Administrative action like use of movement orders to drivers to prevent misuses is being constantly effected. The damages have been minimized. Senior staff, of late are paid to manage their own service like telephone, electricity and water being further efforts to cut down government costs.
- (h) People's ignorance on some of the Prime Minister's Office services makes them feel that there is room for corruption in those services. For lack of awareness the public may be of the view that services in PMO cannot be available without bribe.

The public needs to be enlightened on how to access the services. Some efforts have already been made albeit silently to ensure transparency. The Disaster Relief Management Department for example involves stakeholders from grass-root to national level in implementing development projects and relief activities.

- i) Currently issues of corruption like court cases, and punitive actions taken against culprits are not widely and systematically publicized in the media. Despite the serious anti-corruption campaign launched by government, the seriousness of the campaign is yet to be felt by the people because of non-reporting of such punitive measures taken as prosecutions, dismissals, and retirements of corrupt Civil Servants.

2.7.1 Mass Media:

The Mass Media has been given a crucial role in the Anti-Corruption Strategy and Action Plan. The Prevention of Corruption Bureau, in conjunction with Transparency International, Tanzania Chapter and some donor countries conducted seminars on the role of vibrant media in exposing corruption thus minimizing its effect on the society. Courses on investigative journalism were provided to improve the performance of journalists. The mass media has been doing a very helpful job in exposing corruption. The government considers a vibrant media as a vital partner in the fight against perverse ethical behaviour and corruption in Tanzania. Like other civil society organizations, the media can best be strengthened by a combination of Government support by empowering the media through great freedom of expression and by encouraging them to be innovative and develop a business like working culture. Therefore the government cooperates fully with the media to make the necessary improvements.

Future plans and challenges of the PMO are to keep the momentum of implementation higher than has been managed so far. They are faced with the task of raising resources to meet our targets particularly the

plan of Strengthening The Government Printer, Tanganyika Standard Newspaper (TSN) and acquisition of 114.04m/= needed for implementing the planned activities.

2.8 Ministry of Finance:

The Ministry has identified two major problem areas, namely, poor expenditure management and weak public procurement systems. Therefore, the Ministry has increased transparency in budget formulation and execution. Also involvement of stakeholders in the public expenditure review process in the financial year 2000/2001 has been expanded to capture more and different groups. Publication in the media the release of funds to Ministries, Regions and Council will be done from financial year 2001/2002. Currently the Ministry is working on financial regulations to operationalise the Public Finance Act 2001. Also regulations to operationalise the Public Procurement Act 2001 are being drawn.

The Treasury is a vital player in strengthening good governance. All the democratic institutions and processes, the bureaucracy, and the strategic infrastructures for growth and development can neither be maintained nor sustained if the Treasury has neither the financial capacity to support them through control of inflows and outflows of finances in its coffers. It is in this aspect that the Tanzania Revenue Authority (TRA) and the Office of the Controller and Auditor General (OCAG) are very crucial institutions in sustaining good governance in Tanzania.

2.8.1 Tanzania Revenue Authority (TRA):

Before the establishment of the Tanzania Revenue Authority (TRA) in July 1996, tax administration in Tanzania consisted of three separate revenue departments under the civil service set up. One of the problems of the previous tax administration, which the government decided to address, was poor staff integrity. This issue was given the attention it

address, was poor staff integrity. This issue was given the attention it deserves by the government at the time the TRA, the current tax administration was being established in 1996. Authorities in TRA have instituted administrative and deterrent measures:

- a. Prior to the launching of the TRA in July 1996, the staff of the previous tax administration were screened by the government. Out of a total of 4,517 staffs of the former tax administration, 1,164 staff were not taken over by the authority. Instead they were either retrenched or retired in the public interest.
- b. All the staffs from the previous tax administration who were employed by TRA were put under a probation period of one year with a view to measuring their performance and behaviour and giving the management of the authority the opportunity to determine who was suitable to be employed on permanent basis. At the end of that period 239 staff were not confirmed in their new employment.
- c. The authority has established and is implementing a strict code of conduct, which provides specific penalties for its breach. Management has continually taken action against staff, which have violated the code.
- d. The authority requires all its staff to declare their assets.
- e. The Heads of Departments and their immediate deputies are engaged on three-year renewable contracts. The authority may at any time during the contract terminate the services of the employee for misconduct or any other cause as determined by the authority. Appointment on contract might be applicable to all senior staffs in future.
- f. In 1999 all Heads of Departments were directed to submit lists of staff with doubtful integrity in their departments. Management

those proved to have questionable integrity. The names of those against whom evidence was not available were sent to the relevant state organs for detailed investigations and action. As a result of the measures taken between 1996 and 2001 a total of 1,492 staff were removed from the tax administration. The breakdown of the staff either dismissed or terminated from the tax administration is given down in the table below:

Table 1: Number of staffs removed on ethical grounds

| Department | No. of Dismissals per Financial Year | | | | | Total |
|--------------------|--------------------------------------|------------|-----------|-----------|-----------|-------------|
| | 1995/96 | 1996/97 | 1997/98 | 1998/99 | 1999/2001 | |
| Customs | 511 | 111 | 9 | 11 | 14 | 656 |
| VAT | 376 | 65 | 21 | 9 | 5 | 476 |
| Income Tax | 277 | 45 | 5 | 10 | 1 | 338 |
| Tax Investigations | - | 11 | - | - | 4 | 15 |
| Headquarters | - | 7 | - | - | - | 7 |
| Total | 1164 | 239 | 35 | 30 | 24 | 1492 |

Deterrence measures:

- a. A thorough background check for all staff before engagement in the services of the authority, and screening/vetting of senior staff is done by state organs.
- b. Introduction of comprehensive financial regulations, which provide a transparent procurement system at various levels, involving management and the board where necessary.
- c. A separation of the procurement from the finance function was done in 1999 to enhance internal controls and improve accountability.
- d. A constant review of the regulations to enhance clarity and simplicity, and to tighten penalties on staff integrity is being done.

- c. An internal system to deal with information on staff integrity has been established and is being followed. This includes the formation of an audit committee of the Board of Directors one of whose functions is to follow up the issue of staff integrity.
- f. More education to taxpayers and the general public on their rights and obligations, and on the fight against corruption is being provided throughout the country.
- g. TRA has put in place telephone hot lines, which can be used by the public to give to management any relevant information on tax administration including staff integrity.
- h. The authority encourages the public to volunteer information on tax evasion and members of the public who do so are rewarded accordingly.
- i. Following up information received from the informers by conducting investigations and taking action where necessary.
- j. Closer co-operation with the Prevention of Corruption Bureau (PCB).
- k. With the assistance of the World Bank, various donors and the government the authority has embarked on a programme aimed at improving the effectiveness and efficiency of the authority. This includes:
 - Modernisation of the procedures and processes and eventually reducing bureaucracy and increasing transparency in the assessment and collection of taxes and the procurement of goods and services.
 - Strengthening the authority's Internal Audit Department one of whose functions is a follow up on staff integrity.

- Providing staff of TRA terms and conditions of service which are competitive and reviewing them periodically.

TRA is one of the stakeholders in the implementation of the National Anti-Corruption Strategy and consequently it is fully involved in this anti-corruption struggle. The TRA has been addressing the problem of corruption for several years now and various punitive and deterrent measures as demonstrated above have been taken.

The steps taken have had a positive effect and it is no exaggeration to say that the level of corruption in the tax administration in the country has gone down appreciably since the TRA came into being in mid 1996.

2.8.2 Controller and Auditor General (CAG):

The Office of the Controller and Auditor General is currently preparing a new Scheme of Service which will be accompanied by internal regulations in conformity with the new Public Finance Act 2001. The Act empowers CAG to appoint, manage, control and enforce staff discipline in his office. The Public Finance Act 2001 and the Public Procurement Act 2001, which were passed by Parliament early this year, are likely to be operational by July 2001. They both intend to improve and enhance proper financial management and reduce instances of wastage of government financial resources through doubtful procurement deals and contracts. The Public Procurement Act 2001 is important in checking corruption because previously, only regulations by the Minister of Finance, which date back from 1965 were used in procurement. The regulations had shortcomings such as:

- They do not establish criteria which could enable the Minister to prepare Orders or guidance.
- There are no clear procedures or policy guidelines which must be followed by those providing services and goods to the government.

- Penalties were not stipulated to those government servants who contravenes procurement regulations.
- The Orders were mainly aimed at regulating stores not procurement of services, which has gained prominence in recent years.

The aforesaid shortcomings are addressed in the new law. For example the Provisions of S.60 of the **Public Procurement Act, 2001** provides:

- S.60-(1) Procuring and approving entities as well as tenderers, suppliers, Contractors and consultants under public financed contracts shall proceed in a transparent and accountability manner during the procurement and execution of such contracts.
- (2) Where a procuring entity or an approving authority is, after appropriate investigations, satisfied that any person or firm, to which it is proposed that a tender be awarded, has engaged in corrupt or fraudulent practices in competing for the contract in question, the entity or authority may:-
- (g) Reject a proposal for award of such contract;
 - (h) Declare any person or firm ineligible for a period of ten years to be awarded a public financed contract.
- (3) The procuring entity or an approving authority may, after determination by a court of law or following a special audit by the Controller and Auditor-General, that corrupt or fraudulent practices were engaged in by any person or firm during the procurement, award of contract or the execution of that contract:-
- a. cancel the portion of the funds allocated to a contract for goods, works or services;

- b. declare any person or firm ineligible for a period of ten years to be awarded a public financed contract;”

Any member of the procuring entity or approving authority who engages in corrupt or fraudulent practices during the procurement proceedings or the execution of the public financed contract if caught will be dealt with in accordance with section 64 of this Act.

The procuring entity is obligated in any tender for public contracts to include an undertaking by the tenderer to observe the country’s laws against fraud and corruption (including bribery) in competing for and executing a contract

The Public Finance Act, 2001:

The main purpose of this Act is to provide more effective control, management and regulations of the collection and use of the public finances and to enhance Parliamentary control and supervision of public funds. The law will assist in the fight against corruption as it introduces a more clear, systematic, transparent and accountability in dealing with public funds.

2.9 Judiciary Department:

The Judiciary is yet another pillar of the Constitution and, therefore, Good Governance. The Judiciary has taken firm steps since 1999. The Department has continued to take disciplinary actions against employees involved in corrupt practices as an ongoing in-house cleaning. Seven (7) District Magistrates have been interdicted in connection with corruption; forty one (41) Primary Court Magistrates were interdicted last year alone for being suspected of corrupt practices; and three (3) Senior Establishment Officers have been dismissed from work for involving themselves in activities connected with corruption.

In an effort to see to it that professional ethics are adhered to, Judicial Ethics Committees have been set up both at national and zonal Levels. Also Appointment Committees have been formed to deal with recruitment of new Magistrates in a more transparent manner after thorough screening. There is a television programme twice a week aimed at creating awareness to the public on various aspects of the laws of the country. And an institute of Judicial Administration has been established and is already operating. Like many other departments the Judiciary has similar financial problems, which hinder it from operating effectively. For example there is wide range of complaints country wide against Primary Court Magistrates who are suspected of getting bribes. There is an obvious need to make regular visits to all of them to supervise them and monitor their behaviour. But the department does not have enough vehicles and finances to discharge such an important supervisory responsibility.

For example immediate needs for court supervision are as follows: 87 low fuel consumption motor vehicles Tshs.1,496,400,000.00, 1105 manual typewriters for Primary Courts Tshs.994,000,000.00, 980 motorcycles for Primary Court Magistrates Tshs.3,528,000,000.00, 1105 manual duplicating machines for Primary Courts Tshs.2,519,400,000.00, 117 computers for 11 High Court zones; 21 Resident Magistrates' Courts, 86 District Courts; 117 photocopiers for High court zones, Resident Magistrates Courts and District Courts; Stationery Tshs.220,300,000.00, Court files Tshs.85,700,000.00; Rehabilitation of 76 Court buildings Tshs.380,000,000.00; Rehabilitation of 172 staff quarters Tshs.516,000,000.00. To effect long overdue transfers of Judges and Magistrates the Department need Tshs.454,381,990/=.

2.10 Ministry of Home Affairs:

The Ministry of Home Affairs has three departments, namely the Police Force, Prisons Service and Immigration. All of them have taken various steps to curb corruption in their areas of work, as shown below.

2.10.1 **Police Force:**

The Police Force, well aware of the evils associated with corruption that have eroded its integrity, performance and efficiency in the eyes of the public because of few elements that tarnish the image of the Police Force, several clean up measures have been taken as follows:

- Strict supervision has been instituted and already 176 Police Officers have had their services terminated due to various reasons.

To enhance Police Force Performance:

- Criminal Intelligence Units have been established at all Criminal Investigation Department (CID) Regional HQ. However, the units are not equipped with necessary equipment e.g. motorcycles, communication equipments, tape recorders for surveillance etc.

To ensure availability of competent skillful and knowledgeable personnel:

- No seminars on anti-corruption have been conducted due to financial constraints. Instead weekly and monthly "barazas" involving Police personnel at all levels and establishments have been conducted to discourage corrupt practices.
- Between February 1999 and May 2001 a total of 125 graduates were recruited into the Police Force in order to reinforce Police manpower and fill the gaps left by errant Police Officers who have been dismissed.
- In the second half of 2000, a Senior Police Officers' Conference was held in Moshi where amongst other things, they resolved that every commanding officer should closely supervise his/her subordinates in a bid to fight corruption practices under his/her command.

- Between 1999 and 2001, Tanzania Police Force hosted two meetings for East African Police Chiefs (EAPCCO) and heads of CID/Anti Drug Units for the Eastern Africa Region. The Police have also participated in several other training seminars conducted within the SADC region.

Improvement of living conditions of Police community:

- No improvement on salaries. Ration allowances have been reviewed from Tshs.16,500.00 to Tshs.24,750.00 per month since February 2000.

To improve cooperation with the public and other agencies:

- Programmes on community policing have been conducted through RTD and TV stations (ITV/TVT) to educate members of the public on their rights and actions to take when there is violation of their rights.

The Police Force's Anti-Corruption Strategy and Action Plan is facing serious financial and technical constraints. For example to improve working conditions of the personnel by reviewing emolument benefits to reflect sufficient living wages and better accommodation, the force require Tshs.80 Billion. To provide the Police Force with adequate modern working equipments Tshs.32 Billion must be raised immediately. To train police officers in order to improve the quality of performance and efficiency the force require Tshs.586 million. To transfer police officers who have stayed at one station for a long time and, therefore, resulting in deterioration of performance and effectiveness, the force require Tshs.2 billion. To revive the special constabulary system in order to support the Police Force in their day to day duties to force need Tshs.600 million. Our budget cannot finance all these at the moment.

2.10.2 Prisons Service (TPS):

To enhance awareness of TPS staff and prisoners on their rights through education programmes:

- Guidelines were prepared and sent to all TPS authorities for implementation of “barazas” as a way of soliciting and solving problems affecting different people.
- Staff and prisoners “barazas” are taking place regularly.
- Proceedings of “barazas” are received and processed at different levels of management. Head office receives them regularly from all Regional Prisons offices. Major issues are handled accordingly. Some issues are policy matters and require more time more to be solved.

To enhance public awareness about the Prison Service through mass media and electronic media:

- A Swahili radio programme known as “Ijue Magereza” has been composed and will soon be on air with RTD.

To ensure Prisons officers stick to professional ethics; Strict supervision is being adhered to. As a result;

- Twelve (12) members of staff proven or suspected to indulge in corrupt practices were discharged from the service between 1999 and 2001 on disciplinary grounds.
- This activity is continuous. Where evidence of misconduct is proved, stern measures will be taken.

Updating existing administrative guidelines/regulations and providing new ones to reinforce professional ethics to TPS staffs:

- Draft of "Code of Conduct" booklet for TPS has been completed. Printing will be carried out soon.

Enhance professionalism by conducting in service courses and recruitment of new staffs:

- In this financial year i.e. 2000/01 65 staff have done GO's course and 589 have done basic training.
- No advanced and NCO courses have been conducted so far.

Lay groundwork for review of existing law and enact new ones targeting on reduction of overcrowding in prisons:

- Cabinet paper on Review of Parole Board Act, 1994 has been discussed at IMFC level. It will soon be discussed at cabinet level whereby further steps will follow.
- Community Service System has just been discussed by TPS officials. A secretariat is being formed to include other stakeholders.
- Recommendations of stakeholders will be used to formulate a viable policy paper and subsequently an Act of Parliament.

Improving prisoners' accommodation:

- Work started on Isanga central prison, Dodoma.

Improving efficiency of administration of criminal justice:

- Efforts in getting all participants to a negotiation table are being made. However, some laws are being reviewed.

Improving staff remuneration and incentives through Public Sector Reforms:

- Ration allowance has been increased from shs. 16,500 to shs. 24,750 per month. Other benefits are being paid 50% to requirements.
- Treasury is currently verifying staff allowances debts so that they can ultimately be paid.

Improving provision of statutory services to both prisoners and staff:

- Uniforms are provided up to 60% of requirements. Some items such as shoes/boots and adequate bedding are not yet covered.

2.10.3 Immigration Department:

To simplify and improve document processing procedures through public awareness:

- Published and distributed
- 1700 copies of Newsletters known as **Immigration News**.
- Conducted 104 radio programmes.
- 6,000 copies of a manual called: **Tanzania and her Foreign Guests and (*Taratibu za Utoaji Pasipoti na Uraia Nchini*)** have been published as official policies and guides to Immigration Services.
- 1,000 posters have been printed and posted in different places.

Review legislation and procedures to match with laid down standards:

- There are consultations going on between Immigration Department and Ministry of Justice and Constitutional Affairs. Also, new a Passport Act is being processed.

To monitor and prevent corruption practices and bribery at counters:

- Wearing of uniforms and badges carrying names of staff has been introduced to ease identification of corrupt officials.
- Counters have been renovated and fitted with transparent glass for transparency at DSM and Zanzibar. Computerization will follow. Renovation will continue in other offices.

To improve working environment:

- 19 computers have been purchased so far.
- Purchase of 81 computers and installations of Network is planned for 2001/2002 fiscal year.
- 30 staff have been trained in computer technology.
- Communications equipments have been purchased and installation is on progress.

To improve capacity and performance of workers:

- Seminars have been conducted to 50 participants and tuition fees, transport costs, accommodation, teaching materials and allowances were paid for.
- 5 employees are attending studies at University level.

2.11 Ministry of Health (MoH):

The Ministry of Health has taken actions to curb corruption in the Ministry as follows:

To ensure professionalism and professional ethics among health workers, the Ministry resolved to:

- Review five professional codes of ethics in three year periods.
- Review various health legislations governing private practice.
- Update the five outdated codes of ethics.

To establish ethical committees in Districts to supervise and monitor professional conduct:

- Incorporate the revised codes in training curricula.

To prevent examination leakages and practice of staff without necessary certificates/qualifications:

- Design a watertight assessment system to curb existing examination leakage.
- Establish a question bank to ensure privacy in the setting of questions for final examinations.
- Prepare an inventory of committed and vetted examiners to participate in the conduct of final examination.
- Select a total of 40 examiners to be trained in student assessment.
- Prepare a brochure to create awareness to students and teachers regarding procedures to be followed during examinations.

To establish a transparent system for selecting and awarding scholarships to eligible candidates:

- Conduct training needs assessment to establish priority areas for training.
- Prepare a three-year training plan to ensure transparency and fairness in providing training opportunities.
- Develop 5000 brochures to educate health workers on criteria and training procedures for awarding fellowships.
- Develop 5000 brochures by the end of 2001 to educate secondary school leavers on training opportunities available in the health sector.

To develop mechanism to combat forgery of certificates:

- Design a watertight system to control forgery of certificates.
- Commission a consultant to review issues pertaining to preparation, printing and issuing of a certificate to allied health cadres.
- Recruit registrar for allied health cadres to monitor the issuing of certificates.

To establish IIRII database to facilitate training, promotions, schemes of services for health workers and terminal benefits:

- Contract a programmer for HRH data collection.
- Design tools for HRH data collection.
- Train five data management assistants to facilitate data entry.
- Computerize HRH data to ensure easy retrieval and use of information.

To rehabilitate and equip health facilities at all levels:

- Conduct needs assessment for rehabilitation.
- Develop proposal and budget for equipping health facilities in the year 2001/2002 in phases.

To prevent health professionals in the public service from engaging in private practice during working hours:

- Conduct workshop on new regulations.

To ensure availability of adequate supply of drugs, medical and diagnostic supplies and equipment in public health:

- Strengthen management of drugs, medical and diagnostic supplies in health facilities and budgeting to facilitate rational allocation of funds. Conduct training of trainers.
- Encourage local councils to mobilize and allocate additional funds for drugs, medic and diagnostic supplies and equipment to supplement central government's efforts.
- Deploy qualified accountants to strengthen control and monitoring systems for utilization of funds for drugs and medical supplies.

To ensure adherence to professional ethics:

- Support professional associations, bodies and councils in the preparation of guidelines, norms and standards for provision of health care services.
- Involve professional associations in regulating professional ethics and conduct stakeholders' workshops.

To ensure that food licenses and certificates are issued within seven (7) days after submission of completed application forms:

- Educate business people on requirements of obtaining licenses and registration certificates in order to avoid delays and other inconveniences.
- Distribute printed materials.
- Orient two health officers per district on how to use guidelines for issuing licenses and registration of certificate.
- Provide working tools for authorized officers. Reprint and distribute food law books.
- Review inspection guidelines and checklists on food quality and safety.

The Ministry continuously informs its clients on different services which it provides. Client's rights have been stipulated in the Client Services Charter and will be reminded frequently of their rights.

The Ministry has opened its doors to receive complaints and feedback from clients that show signs of corruption. The Ministry work on such complaints expeditiously.

2.12 Ministry of Foreign Affairs:

The Ministry of Foreign Affairs has identified ten problem areas and designed an action plan to address them. The problem areas identified are the following:

- Non-adherence to guidelines related to appointment.
- Non-Compliance with procurement of goods and services procedures.

- Lack of programmes and transparency in matters related to scholarships.
- Delays and lack of transparency in confirmation and promotion of employees.
- Non compliance with procedures related to transfers abroad.
- Extension of services (Posting) abroad without clear and fair timeframe.
- Lack of transparency and fairness in composition of delegations to ad-hoc meetings or conferences.
- Lack of transparency and fairness in appointing delegates to regular conferences.
- Non-compliance with rules related to hiring of vehicles for state functions.
- Non-adherence to financial regulations related to imprest retirement.

The Ministry has taken the following measures to increase transparency and efficiency:

- Guidelines for appointment are being observed.
- Procurement complies with the Public Procurement Act, preparing monthly returns and monitoring of mission accounts by Head Office on a weekly basis.
- A comprehensive training programme has been drawn and will be operational in financial year 2001/2002.

- Below average performance cases are being notified to relevant officers prior to dates of promotion or confirmation.
- The administration has drawn a list of due posting on a deserving basis.
- Selection of officers to attend conferences or meetings is being done according to their relevant schedules.
- Rotation of officers in Departments at Head office is being effected to enhance knowledge, experience and efficiency.
- Regulations for hiring vehicles through the Government Transport Agency (GTA) are being adhered to.
- Un accounted imprests have been reduced by 99% from 1998 to 2001.

2.13 Ministry of Works (MoW):

The Presidential Commission Against Corruption (commonly known as the Warioba Commission) identified the Ministry of Works as one of the fertile areas for grand corruption in tenders, procurement, construction and Government contracts. Since the publication of the report and after approval of the Anti-Corruption Strategy and Action Plans in 1999, the Ministry has taken several administrative, legislative and structural measures to combat corruption in the Ministry.

Administrative and legislative actions (reforms and deterrence measures) taken include:

- (a) Procurement Procedure: Transport procurement procedures which are to be followed from tendering to award stage were distributed to Regional Engineers and Regional Administrative

Secretaries, of all Mainland regions. All civil/building works, and consultancy tenders are advertised in the local media inviting capable contractors and consultants to bid. Tender documents with drawings and specifications are prepared precisely in accordance with required standards. All short term contracts are fixed with no allowance of price variations and long term contracts are closely supervised to eliminate dubious claims and cost overruns. The Project Managers from MoW are appointed officially and in writing with proper Terms of Reference. The Ministry formed the Ministerial Tender Committee, which approves the recommendations from the consultant or the evaluation team before submission to the National Tender Committee (NTC) or Central Tender Board (CTB). All contracts are awarded through the appropriate Tender Board.

- (b) A list of registered contractors has been distributed to Regional Administrative Secretaries for their reference to avoid awarding contracts to de-registered contractors. The Contractors Registration Board Act, No.17 of 1997; The Architects and Quantity Surveyors Registration Board Act No.16 of 1977; and The Engineers and Consultants Registration Board Act No.15 of 1997 provide for penal sanctions against unqualified, unethical or corrupt professionals in the Construction industry. For example any professional who is guilty of poor performance or corruption is liable to a jail sentence of five years or a fine equal to three quarters of the cost or value of the breached contract or both a jail sentence and a fine. Since the laws came into effect; 45 (Fourty Five) Engineers; 137 (One hundred Thirty Seven) Technicians; 3 (Three) Auditors; 1 (One) Chief Accountant; 2 (Two) Directors and 2 (Two) Planning Officials have been

retrenched. On the other hand a summary of deleted or de-registered contractors from 1999 - 2001 is as follows:

| TYPE | 1999 | 2000 | 2001 | TOTAL |
|--------------|------------|------------|------------|------------|
| Building | 233 | 206 | 93 | 532 |
| Civil Works | 219 | - | 29 | 248 |
| Electrical | 73 | - | 6 | 79 |
| TOTAL | 525 | 206 | 128 | 859 |

Currently 10 (ten) cases of contractors charged with violation of the construction industry laws face de-registration as their cases are pending before the authorities.

- (c) **Supervision of Projects:** Project Managers are held responsible for the supervision of their projects. Extra works on the project are discouraged and when it becomes necessary approval is requested from the respective Tender Board. Rationalisation of the previous roads division into trunk and rural Roads divisions has increased efficiency in implementation of projects.
- (d) **Axle Load Control:** The Road Traffic (Maximum Weight of Vehicles) Regulations, 2001 have been made to address among other things, overloading and corruption at weigh bridges. The regulations enacts simple, clear and transparent procedures and mechanisms of how to deal with overloading cases timely and less costly. Also, a study of Overloading Management System is in the process of being developed. A study on Road Safety Audit Management System incorporating Technical Audit of Weigh Bridges is in process. An awareness campaign to weigh bridge operators was conducted.
- (e) **Establishment of Roads Agency (TANROADS):** The Tanzania National Road Agency (TANROADS) was established under the Executive Agencies Act 1997 and was launched in July 2000. Management and staff of TANROADS are motivated to facilitate good performance in road maintenance.

- (f) Others: A Workshop on corruption prevention involving all stakeholders both from public and private construction sectors was held on 10th to 11th April 2001 to deliberate on the actions and strategies to be taken in order to eliminate corruption in the sector.

The MoW through the National Construction Council has developed the National Construction Policy Strategy which if approved by the Cabinet will, among other things guide on the following issues:

- (a) Promoting application of best practice standards on productivity, quality management and appropriate, state-of-the art, delivery arrangement;
- (b) Supporting the establishment of financing facilities for construction sector enterprises to access working capital in terms of credit, bonds guarantees, training funds, and capital for tools and equipment;
- (c) Establishing sustainable arrangements for provision of construction equipment to the industry;
- (d) Promoting meaningful joint venture arrangements and other forms of strategic alliances among local firms and with foreign firms;
- (e) Ensuring both local and donor procurement policies provide comprehensive framework for fostering the local construction industry in Tanzania.
- (f) Establishing a co-ordinated and systematic comprehensive approach for managing, financing training and education to ensure that all participants have access and contribute equitably to the human resources development in the construction industry;

- (g) Accelerating the formulation and updating of building regulations and standards and ensure industry-wide usage;
- (h) Enhancing transparency and accountability in procurement, design and contract administration.
- (i) Promoting self-regulatory mechanisms for the industry through measures such as establishment and enforcement of ethical codes of conducts and warranty schemes.
- (j) Mechanically operated weigh bridges are to be replaced by computerized weigh bridges in order to avoid cheats and hence minimize corruption.
- (k) Raise nearly Tshs 4.5 billion for the purchase of important equipment to improve efficiency in the Ministry.

Transparent procurement procedures were put in place and their compliance supervised. Performance audits are being conducted and project managers are held personally responsible for the supervision of their projects.

2.14 Ministry of Communications and Transport (MCT):

The vision of the Ministry is evolution of highly efficient and competitive transport and communication services within the country and internationally. For the past three years the MCT have shown seriousness in fulfilling its goals, in solving corruption problems focusing on the challenges ahead. The Ministry has just seriously started the move and it is too premature for the public to feel the effects, but it is encouraging and certain that the public and the stakeholders are happy and will continue to be satisfied with sectoral services.

Since 1999 the MCT has been taking serious measures and actions. An area that had shown or indicated corruption was licensing in the Central Transport Licensing Authority (CTLA). To date, loopholes for corruption have been substantially eliminated. Since 1999 the style of Tanzania Telecommunication Company Limited (TTCL) management process has changed giving way to its privatization in 2001. It is believed that under the management of the private sector all corruption activities that have been causing problems and complaints to the public will completely be solved. The CTLA 1999 new policy in issuing licenses shows that better regulations was setup on how best to issue licenses to the customers promptly. Things are more transparent now than before: customers are given the regulations to read and understand them. The outcome shows that most customers understand the regulations and are now getting their licenses in few hours. Complaints in this area are minimal, if any. Apart from various steps undertaken, the MCT has been conducting various workshops and seminars to the public in order to remove and eradicate the corruption problems from the public. For instance, during 1999/2000, under Tanzania Good Governance Programme, MCT corruption eradication issues were seriously considered, MCT corruption matrix shows how this problem will continuously be solved in a transparent manner starting January, 2001.

Legislative and administrative Reforms: New legislative reforms required in order to implement the corruption policy are to:

- Ensure that official records are kept properly and easily retrievable.
- Institute measures that will make issuing licenses and certificates transparent; operate according to regulations and procedures of procurement, stores which guarantee transparency.
- Review the procurement system for cost effective and try to monitor value for money.

- Simplify licensing procedures by reducing signatories. Review the existing system to determine conformity to current record keeping practices.

Future plans and challenges for sustained success, will have to overcome the following challenges:

- Open most of the tenders for the Tanzania Meteorological Authority.
- Establish a well-coordinated information system from international source.
- Obtain the maximum return to the money spent in the purchase of computers and application of other computing systems that are to be used.
- New system of record keeping identified and training should also take place to the record keepers through seminars and workshops.
- To conduct training programme which will meet a comprehensive system covering assets management.
- Improve revenue collection by issuing invoices promptly and effect revenue collection drive country wide, train management including budgeting, control and interpretation of financial statements, computerising the accounts, recruit additional trained staff for revenue collection and train accounting staff in intensive auditing skills.

2.15 Ministry of Defence (MoD):

The MoD and institutions under its auspices, namely the Tanzania People's Defense Forces, the National Service, Mzingo Corporation and the Tanzania Automotive Technology Center have, since their establishments, been effecting measures to curb acts of corruption with

the view to instill good governance as required by their visions and missions.

Such measures include legislation, regulations and rules. For example, the Acts that established the Tanzania People's Defence Forces and the National Service, as well as, regulations and rules governing them provide for, among other things, the strict adherence to discipline, procurement, financial and stores management with the objective to secure optimal utilization of public resources. The management structure of the defense sector, therefore, has always had preventive mechanisms that deters all workers and indeed members of the Defense Forces from indulging into acts of corruption and malpractice.

As part of government efforts to implement the National Anti-Corruption Strategy and Action Plan, the Ministry of Defence has also, since 1999, been involved in developing Sectoral Anti-Corruption strategy and Action Plan. The Sectoral Strategy and Action Plan, formulation of which was accomplished in October 2000, administratively aims at improving the management mechanism of the Defense sector on procurement, financial and stores regulations. It also aims at reviewing the Defense Forces Code of Conduct and regulations to enhance morality of officers and men within the context of eradicating corruption.

As noted above, fighting corruption is embodied in the mission of the Ministry of Defense and its institutions. To the Ministry fighting corruption is an on going exercise. Accordingly, the Ministry, through the Defense Forces Committee (the highest policy making body in the Defense sector) has regularly proclaimed measures requiring the leadership and members of the Defense Forces to take necessary measures that commit them to the cause of fighting and eradicating corruption. Such measures include the following:

- To strengthen the control and supervision of procedures of procurement of supplies by using the Military Tender Board.

- To plug all avenues of perceived corruption in the areas of service provision including military hospitals and secondary schools.
- To continue strengthening audit sections and frequently carry out audit exercises and take necessary remedial measures wherever problems are found.
- To ensure that existing laws and regulations intended to fight corruption and embezzlement of public funds and resources are adhered to. Accordingly punitive measures are taken against Officers and men found guilty of contravening these laws and regulations.

2.16 Ministry of Science, Technology and Higher Education (MSTHE):

The MSTHE has taken various steps to fight corruption in the areas of procurement, award of scholarships, improving quality of education at tertiary institutions for higher learning.

To ensure that laid down regulations are followed in procurement, all regulations will be distributed to responsible officers, in-house seminars will be conducted to educate the responsible officers on the regulations and instilling ethics through educational campaigns. Also, areas of weakness in the regulations will be reported to responsible Ministries for rectification.

To ensure that at least 50% of stakeholders follow correctly procedures and guidelines with regard to admission and application for scholarships, the MSTHE will:

- Publish and distribute available guidelines on policies and procedures in simple language.
- Formulate guidelines on scholarships award.

- Publish information in newspapers annually on opportunity for higher education.
- To curb violation of examination rules and regulations by staff and students the Ministry will:
- Increase and improve quality and quantity of student facilities to match with students' enrolment expansion by 2005.
- Introduce academic audit.
- Introduce strict punitive measures against those involved in violating examination rules and regulations.
- Introduce remedial programs in basic sciences and strengthen communication skills.

Delay in disbursement of government funds, deliberate laxity in the processing of payments, and lack of financial discipline and transparency will be controlled. Hence the Ministry plans to:

- Identify centers of delays and analyse causes and recommend appropriate corrective measures.
- Prepare guidelines and set time limit on the processing of payment and ensure implementation.
- Strengthen supervisory mechanism by enforcing accountability by June 2000.
- Prepare guidelines and set a time limit on the processing of payments and ensure implementation.
- Enlighten responsible officers on the existing financial regulation and ensure they are adhered to.

- Establish elaborate schedule of duties for each cadre.
- Carry out manpower audit to establish levels of skills and capability of the staff.
- Develop on job training programs geared to performance improvement.

To curb excessive bureaucracy in some existing institutional framework which delays decision-making process and delivery of services:

- Speed up implementation of organizational structures of MSTHE.
- Review Acts which established public higher learning institutions to make reviewed structures more efficient and effective.
- Prepare or review job descriptions, schedule of duties and put them in use.
- Review terms of service and introduce contract scheme of employment.
- Criteria for appointment of Board members and senior officials be reviewed and made transparent.
- Adopt use of modern ICT technology in decision-making.

To increase awareness of the existing procedures and curb dishonesty in the acquisition and management of consultancy services and project funds:

- Publish and distribute/disseminate the guidelines to stakeholders.
- Sensitize stakeholders through seminars, workshops internet and meetings on the existing policies.

- Conduct in house tailor made project management short courses for project managers.
- Punish violators.
- Motivate staff that comply with regulations.
- Decisions of relevant committees are strictly upheld.

To eliminate use of public office and property for personal gain:

- Retrieve and re-distribute the existing circulars to staff.
- Existing financial and standing orders to be available to Senior Staff.
- Conduct sensitization seminars on content of above-mentioned document.
- Implement disciplinary measures against violators.

To curb breach of security and confidentiality in public offices:

- Contact the national security department to run seminars and vet the responsible staff on confidential matters.
- Institute disciplinary measures to violators.

To eliminate shortage of students accommodation on campus in the tertiary and higher learning institutions:

- Publish and distribute the policies to the students.
- Ensure that enough information is provided during the first year orientation sessions.

- Include a statement on accommodation policies in the joining instructions and prospectus.
- Privatize half of residence and invite parastatals to build hostels.
- Create awareness to the public on the existence of the programme.
- Formulate policies and strategies joint venture/investment partnership.
- Sensitise investors on the above.

Abuse and violation of radiation protection standards and regulations:

- Get hold of regulations and distribute them to responsible stakeholders.
- Identify areas of weakness of Radiation Protections Act and recommend them for the review.
- Enforce existing punitive rules against violators.
- Educate the general public, politicians, food and goods exporters and importers and users of nuclear technology through in house seminars, workshops, mass media (TV, radio, and newspapers) on the effects and safe use of nuclear technology by June 2003.

2.17 Ministry of Lands and Human Settlement Development (MLHSD):

The MLHSD has taken various actions to combat corruption, as shown below. Administrative actions:

- Technical and administrative circulars are under review to ensure that there are no loopholes, which might be exploited by corrupt individuals. Further, the review aims at making the land delivery process transparent and efficient.

- Senior officers in the land sector met in 1999 and met again April 2001 to share experiences and develop strategies to solve recurring problems. The spirit is to conduct such meeting annually resources permitting.
- More administrative and technical responsibilities have been devolved to local governments in order to bring services closer to the public. This is reflected in the Village Land Act No.5 of 1999, which becomes operational May 2001.
- A total of 23 Officers suspected of malpractice or wrongdoing have been interdicted or dismissed and others have been prosecuted.
- At the Ministerial level, policy and management meetings are conducted weekly to discuss issues, which call for intervention or guidance. This enhances transparency and speeds up the delivery of services. Since 1999 to date a total of 21 policy meetings and 37 management meeting have been held.
- A land sector reform programme has been developed and a donors conference has been conducted.
- The working environment and facilities have been improved. Registries have been reorganized and refurbished to the extent that information flow is now efficient.

Legislative Reforms:

Land Act No.4 and Village Land Act No.5 of 1999 were passed by the Parliament in February 1999.

Draft regulations and prescribed forms to facilitate the implementation of the new land laws have been prepared.

The date of commencement of the application of the laws is May 1st 2001. The Hon. Minister for Lands and Human Settlements Development signed the notice on 18th December 2000 and the same has been published in the *official Gazette* as G.N.485/486 of 22nd December 2000.

Other laws in the land sector are in the process of being harmonized. These include the Town and Country Planning Ordinance - Cap 378, The Land Survey Ordinance Cap 390 of 1957, The Land Registration Act - Cap 314 and The Land Acquisition Act No.47 of 1967.

The Human Settlements policy has been adopted following which legislative changes will be made to relevant laws e.g. the local government Acts No.7 and 8 of 1982, the Acts which established the National Land Use Planning Commission (NLUPC) and the National Environmental Management Council (NEMC).

The Village Land Act, 1999 and the fight against corruption:

This Act provides for the management and administration of land in villages. The Act provides a detailed and transparent procedure, which is to be applied in dealing with application, allocation, grant and revocation of the granted land in villages.

Apart from providing for a transparent procedures of how land issues shall be dealt with, the Act provides also on matters related to corruption in some of its provisions, for example the provisions of S.10 and 64 which address and outlaw conflict of interest and corrupt transactions respectively.

The Land Act, 1999 and the fight against corruption:

This is the basic law on matters pertaining to land, other than village land. The law provides for the management of land, settlement of disputes and other land related matters.

The law aims at, among other things introducing a simple, systematic, transparent and accountable ways of how land may be granted and revoked. This Act also contain similar provisions on fraud and corruption like the villages land Act, 1999. The provisions of S.15 provides for conflict of interest whereas S.178 provides for corrupt transactions. Section 178 provides:

- “S.178.-(1) Nothing in this act shall be taken or construed to validate, affirm, authenticate or give any legal effect to any grant of a right of occupancy, or any issue of a certificate of occupancy or a customary certificate of occupancy, or any disposition, or any contract or any of the earlier mentioned transactions which was obtained or induced by any **corrupt act**, on the part of any government or public or local government official whether that government or public or local government official was directly involved in that transaction or not, and, notwithstanding any rule of law in Tanzania to the contrary, such a transaction is hereby declared to be and to have been from its inception an illegal transaction, void and **having no legal effect**.
- (2) For purpose of this section, a transaction shall be taken to be affected or **tainted by corruption** when either:
- any party to or involved directly or indirectly in the transaction in respect of which it is alleged that an action was corrupt is convicted of corruption and all final appeals arising from that conviction have been concluded; or
 - any civil servant or other public official is interdicted, or is retired in the public interest, from his post on the grounds that he has been engaged in corrupt actions and that these actions involved that transaction, or

An investigator body reports that it is satisfied or that transaction was procured by corrupt practices.

- (3) Any person occupying land which he obtained as a consequence of participating in any of the transactions covered by subsection (1) and (2) shall be liable to **forfeit that land to the President without any entitlement to any compensation.**
- (4) Notwithstanding that a transaction covered by this section is void, a person occupying land as a consequence of that transaction shall be obliged to comply with all the terms and conditions of the transaction as if it had been a valid transaction and shall be liable to all the remedies which may be applied to a person who fails to comply with the terms and conditions of a valid transaction in addition to any penalties which may be applied under this section".
(Emphasis supplied)

From the foregoing it is evident that the spirit of the Acts and some of its provisions including the quoted provisions address corruption and corruption related problems in a lucid way.

Future plans include:

- To conduct public awareness' campaigns through the media and physical outreach to the village level so that the public can participate in the implementation of the new Land Laws.
- Top encourage the local governments to retrain available staff and employ qualified and competent staff at various levels.
- Encourage private sector participation in land delivery process.

The Greatest challenge is to take stock and record the number and location of land parcels, their ownership and development plans in order to help forecast and plan more effectively for National development.

2.18 Ministry of Industry and Trade (MIT):

The Ministry of Industry and Trade has made progress in its fight against corruption in the following areas:

To curb cumbersome and bureaucratic licensing procedures:

- The Ministry has identified out-dated and cumbersome provisions of the business licensing act, which need to be amended or repealed.
- Proposals for amendments to the Business Licensing Act have been submitted to the National Task Force for Tax Reform. These proposals include: granting the licensing authority powers for revenue collection, removal of tax clearance requirements on income tax, VAT, sales tax and stamp duty and removal of advance tax.
- The responsibilities for local government and central government for business licensing are under review with a view to harmonizing them, and also identifying overlapping laws and regulations and streamlining them.
- License application forms have been reviewed and rewritten in order to remove cumbersome items. The forms now contain sufficient information for applicants and are in both Kiswahili and English.

To improve salaries:

- Job evaluation has already been done with assistance of the Civil Service Department (CSD).
- Job descriptions have already been done for permanent secretary and Directors, we will soon start job descriptions for assistance Directors (Section Heads) and desk officers, to be completed by December, 2001.
- Review of schemes of service: with the assistance of the CSD, the guidelines of the schemes are in place. Subject to availability of funds, the current scheme has to be reviewed as per CSD recommendations and present the same to CSD and to the Workers Council before end of December 2001.
- Job market surveys will be done subject to availability of funds between July and December 2001.
- Recommendations for increasing salaries and allowances will be taken care of by the implementation of new schemes of services. Part of the allowance has been included in the 2001/1002 budget estimates.
- Following CDS's implementation of proposals for payment of employee's such as housing and transport assistance, the Ministry is making a close follow up, and also taking the necessary actions.
- Action is being taken to increase the duty facilitation allowances such as subsistence, sitting and extra duty allowance:
 - (a) The Permanent Secretary has decentralized the authorization of allowances.
 - (b) Directors are now responsible for the payment of such allowances to their respective subordinates.

c) The 2001/2002 budget has taken care of some of these problems.

Lack of transparent work procedures in the weights and measures department:

- Preparation of work manuals as well as guidelines on work procedures is being undertaken. These will cover testing, weighing as well as measuring instruments.
- The rates of chargeable fees for services have been published and shown clearly on public notice boards.
- The department has frequently aired television shows since 1998 in order to raise public awareness through the media.
- During the year 2000 the department conducted seminars and workshop in six zones in Tanzania mainland in order to increase awareness.

To curb ineffective supervision of the industrial and trade operations:

- Sustainable Industrial Development Policy (SIDP) is already in place.
- Technical report on trade policy was prepared in the year 2000/01 by the Inter-ministerial Technical Committee of Experts.
- Capacity building is being implemented at MIT.

Improvement of efficiency of the Business Registration Agency (BRELA):

A review of the legislation and regulations has been undertaken by BRELA. The following goals were achieved:

- a) Trade and Services Marks Regulations were published as G.N. No.40 of 2000. As part of improving the quality of the service that BRELA renders, the agency started registering service marks in January 2000. Previously, only trade marks were being registered.
- b) BRELA started granting patents in January 2000. Previously BRELA only registered patents registered in the UK.
- c) On Copyright and Neighbouring rights, BRELA facilitated:
 - The formation of the Copyright Society of Tanzania (COSOTA) which was gazetted by the Minister in April 2000.
 - The preparation and publication of Copyright and Neighbouring Rights Regulations, which were published as G.N.214 of 2000.
 - The recruitment of a copyright administrator as part of implementing the Copyright and Neighbouring Act.
 - Industrial Licensing Regulations were published as G.N.264 of 2000.

To curb cumbersome and outdated procurement procedures:

- The Ministry is to identify areas which do not allow for an efficient and timely procurement of works, goods and services.

Public awareness campaigns:

- In July, 2000 BRELA participated in the Dar es Salaam International Trade Fair for purposes of enhancing public awareness and extending its customer base.

- BRELA has organized radio and television programmes in order to educate customers and other stakeholders.

Adopting modern management systems:

BRELA has since its inception adopted a Business Excellence Model and has always banked on customers advise on how to serve them. BRELA has shopped customer views through questionnaires. This had enabled; the agency to identify areas, which need improvement in order to meet customers' expectations.

2.19 Ministry of Natural Resources and Tourism (MNRT):

Initiatives undertaken by Ministry to combat corruption are shown below:

Policy initiatives:

Within three years the Ministry has formulated new policies of wildlife, forestry, beekeeping, tourism and fisheries. All Natural resources and tourism policies emphasize transparency and involvement of communities in conservation of natural resources.

Licensing:

The Ministry has embarked on formulation of guidelines and regulations of suspect problem areas like:

- Tourist Hunting;
- Export of forestry products; and
- Prawn Fishing licenses.

This action has reduced public complaints on these areas. It is now smooth and transparent business. For example, teak forests are sold through public auction. There are no longer queues of customers at the doors of the Forestry and Beekeeping Division officials.

Review of existing laws:

The Ministry has embarked on updating the existing laws in line with the new policies. This is to ensure policies are implementable especially the involvement of communities in the endeavor to conserve natural resources.

Training of staff:

The Ministry in the same period has produced and is implementing a ministerial training programme that shows explicitly who, when and where the training will be undertaken. This is accessible to every staff member. A total of 228 staff have been trained at the level of Certificate (124), Diploma (62), Bachelor degree (16), Masters degree (18) and PhDs (2).

Promotion of staff:

- For common cadre within the powers of MNRT, the Ministry has taken initiative to promote the staff timely and appropriately.
- Most of the permanent and pensionable staff with problems of delayed promotion have been attended through accelerated promotion in collaboration with the Civil Service Commission.
- For Presidential appointments, there is an ongoing ministerial action programme to ensure that all eligible senior officers are proposed for promotion accordingly (their CVs have already been submitted to the appropriate authority).
- The MNRT has prepared seniority list for all cadres.

Procurement of goods and services:

The Ministry has set up a ministerial purchasing committee whose members are heads of divisions in the MNRT under the chairmanship of the Director of Administration and Personnel. Nothing at the tune of Tshs 2,000,000/= and above can be purchased without the scrutiny of this committee.

Employment of staff:

The Ministry now practices open recruitment system through advertisement of posts and an independent interviewing panel. Moreover, MNRT currently advertises vacant positions through public media, as per government directive. Interviewing panel is composed of external members depending on the nature of expertise needed.

Inadequate guidelines and procedures:

The Ministry is continuing to produce guidelines and procedures of how to conduct businesses in natural resources. Brochures and marketing information are being produced and distributed to customers for more transparency.

Enabling working environment:

MNRT has already updated job descriptions for all senior staff and scheduled officers in accordance with the ongoing reforms to ensure accountability.

Moreover the MNRT has been applying Performance Budgeting and within the Medium Term Expenditure Framework (MTEF). The Ministry knows its delivery targets (outputs), activities to be done, resources required in order to perform as per agreed plan.

Involvement of local communities in natural resources management is another enabling environment for better conservation of natural resources.

Equipment provision is given attention to ensure effective performance.

Inadequate qualified staff:

Due to the fact that natural resources are spread all over the country, conservation of natural resources has been burdened on few natural resources officers in the field. This staff shortage problem is being

solved through the permission given by Civil Service Department to employ additional staff. In 2000/2001 the MNRT employed 102 while in 2001/1001 the MNRT has been given permission by Civil Service Department to employ 44 employees.

Challenges:

- In the ongoing reforms there is a need to integrate both central and Local Government strategies.

In the struggle to save natural resources from the current rate of depletion, there is a great need to search for alternative sources of energy.

Resource constraints:

Most of the components of good governance programme are implemented by using local funds. We have managed to do this mostly through the strategy of integrating the activities under this programme with normal government budget. The question of inadequate remuneration, we hope, will be tackled through the efforts of the ongoing public service reform.

Future plans:

The main future plan to solve most problems under the MNRT is the Ministerial Strategic Plan due to be implemented from May 2001. World Wide Fund for Nature (WWF) will support this initiative by providing 70% of all costs estimated to be Tshs80,000,000/-.

CONCLUSION:

The implementation of the Good Governance Programme and the National Anti-Corruption Strategy and Action Plan, inspite of resource constraints, will continue with growing determination. The socio-

economic , legislative and administrative reforms already in place have increased our capacity, transparency and accountability. As demonstrated above many more reforms are underway. Substantial progress has been made in the fight against corruption. The people are cooperating in reporting corrupt officials. The war against corruption will continue and everyone understands that it is a long term and expensive war. We continue to fight corruption within our limited resources because we believe we have a moral duty and legal obligation to fight corruption. It is from this understanding that Ministries and independent departments of the government have put in place action plans to tackle the problem of corruption.

The development of strategies and action plans has been participatory. The development of strategies and action plans at the village and District level will also be participatory consistent with the National Anti-Corruption Strategy. We know the task ahead of us is not an easy one. Leaders at all levels have a duty to lead the war against poverty and corruption in order to speed up the development of our country and our people. We have the vision, the strategy and action plans. We must win this war; Defeat is NOT an option!