

THE WRITTEN LAWS (MISCELLANEOUS AMENDMENTS) (NO.3) ACT, 2019

Centre for Strategic Litigation, Change Tanzania, JamiiForums, HakiElimu, Legal and Human Rights Centre, Policy Forum, Save the Children, Tanzania Human Rights Defenders Coalition, Tanzania Women Lawyers Association, TIBA, Twaweza

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Amendments to the Companies Act

No.	Proposed Amendment	Implications, gaps	Proposed Revision
1	<p>Amendment 2 “commercial activities” means all activities of industry and trade, including, but not limited to, the buying or selling of commodities and activities conducted for the purpose of facilitating such buying and selling and any other activity as the Minister may, by notice published in the Gazette, prescribe; “trade” means the transfer of goods or services from one person or entity to another and any other activity as the Minister may, by notice published in the Gazette, prescribe.</p>	<p>The omission of a requirement for publishing in the Gazette for “commercial activities” and “trade” does not provide clarity as to how and who determines and declares if an activity is a commercial or trading activity. It is unlikely that in the current context of a fast changing economy to define in law what constitutes commercial, investment and trading activities. It risks excluding activities which may not fit such restrictive definitions. 'Technologies like artificial intelligence (AI), nanotechnology, quantum computing, synthetic biology and robotics will all drastically overtake any digital progress made in the past 60 years and create realities that we previously thought to be unthinkable. Such profound realities will disrupt and change the business model of each and every industry.'</p>	<p>Amendment 2 “commercial activities” means all activities of industry and trade, including, but not limited to, the buying or selling of commodities and activities conducted for the purpose of facilitating such buying and selling; “trade” means the transfer of goods or services from one person or entity to another.”</p>
2	<p>Amendment 6 A company referred to under section 3(3) which was incorporated or registered prior to the coming into operation of this section shall, within two months from the date of coming into operation of this section, be required to comply with the provisions of this Act.</p>	<p>Given the significant changes and implications on companies registration and requirements to comply with this Act for pre-existing companies, the duration of 2 months is insufficient/impractical for compliance. It may result in many companies failing to comply in a timely manner and hence may lose registration with severe unintended consequences to the companies, the Government and the country at large. We need to increase the duration to six months and provide room for extension where necessary (which is line with best practice in similar situations : e.g. recently, the Government extended the biometric requirement for sim-card registration by 7 months to ensure and efficient, smooth and effective procedure). This law is silent on those BRELA-registered companies which have NOT complied with the NGO Act.</p>	<p>Amendment 6 A company referred to under section 3(3) which was incorporated or registered prior to the coming into operation of this section shall, within 24 months from the date of coming into operation of this section, be required to comply with the provisions of this Act.</p>

No.	Proposed Amendment	Implications, gaps	Proposed Revision
3	<p>Amendment 6</p> <p>A company limited by guarantee not having share capital, incorporated or registered under this Act and obtained a certificate of compliance under section 11 of the Non-Governmental Organizations Act, shall, within two months from the date of coming into operation of this section be deemed to have been registered under the Non-Governmental Organizations Act and struck off from the register</p>	<p>Unclear whether new NGO certificate will be issued or not. Two months duration is insufficient to effectively attain full compliance under the new registration (NGO Act). This may cause confusion and failure to effectively and timely comply resulting in de-registration with potentially unnecessary and irreversible effects to the individual companies, the Government and country at large.</p>	<p>Amendment 6</p> <p>A company limited by guarantee not having share capital, incorporated or registered under this Act and obtained a certificate of compliance under section 11 of the Non-Governmental Organizations Act, shall, within six months from the date of coming into operation of this section be deemed to have been registered under the Non-Governmental Organizations Act and struck off from the register. A new certificate of NGO registration will be issued within this period.</p>
4	<p>Amendment 10</p> <p>(1) Where the Registrar has reasonable cause to believe that-</p> <p>(a) a registered company has been fraudulently registered;</p> <p>(b) a registered company is engaged in criminal activities such as money laundering, human trafficking, drug trafficking; terrorism financing or any other offence punishable by law;</p> <p>(c) at the time of incorporation, there was misrepresentation or fraud by a registered company;</p> <p>(d) by operation of law, all shareholders or directors have been prohibited from entering the country; or</p> <p>(e) a registered company is operating contrary to its objectives as prescribed in the memorandum and articles of association, he shall issue a notice in writing to the company, of his intention to strike the company off the register.</p>	<p>Gives unnecessary and excessive discretionary powers to the Registrar. Does not involve other key stakeholders in making such an important decision hence may result in an unfair decision.</p>	<p>Amendment 10</p> <p>(1) Where the Registrar has reasonable cause to believe that-</p> <p>(a) a registered company has been fraudulently registered;</p> <p>(b) a registered company is engaged in criminal activities such as money laundering, human trafficking, drug trafficking; terrorism financing or any other offence punishable by law;</p> <p>(c) at the time of incorporation, there was misrepresentation or fraud by a registered company;</p> <p>(d) by operation of law, all shareholders or directors have been prohibited from entering the country; or</p> <p>(e) a registered company is operating contrary to its objectives as prescribed in the memorandum and articles of association, he shall issue a notice in writing to the company, detailing his concerns.</p>
5	<p>Amendment 10</p> <p>(2) Upon receipt of the notice referred to under subsection (1), the company may, within thirty days provide to the Registrar reasons in writing as to why the company should not be struck off the register.</p> <p>(3) Where the company fails to provide reasons under subsection (2) within the prescribed time or where the reasons provided are not satisfactory, the Registrar shall strike the company off register, publish in the Gazette the name of the company which has been struck off and notify the company accordingly.</p>	<p>The Registrar does not need to begin from the position of striking a company off the register based on his/her beliefs or suspicions. Due process should be observed. The bill also not describe what amounts to satisfactory reasons from the company. Excluding other stakeholders in determining whether the reasons are satisfactory or not may result in an unfair decisions being made.</p>	<p>Amendment 10</p> <p>(2) Upon receipt of the notice referred to under subsection (1), the company may, within ninety days provide to the Registrar information and responses to his/her concerns in writing</p> <p>(3) Where the company fails to provide a response under subsection (2) within the prescribed time or where the reasons provided are not satisfactory, the Registrar shall initiate a full investigation with a view to initiating court proceedings in the event of discovery of wrong-doing</p>

No.	Proposed Amendment	Implications, gaps	Proposed Revision
6	<p>Amendment 10</p> <p>(4) Where a company, member or creditor is aggrieved by the decision of the Registrar under subsection (3) shall, within five years from the date of publication in the Gazette, apply to the court for restoration of the company in the register: Provided that, the Registrar shall not, within such period of five years, register another company with the same name.</p> <p>(5) Upon receipt of the application for restoration, the court may-</p> <p>(a) order restoration of the company in the register; and</p> <p>(b) give such directions and make such provisions as seem just for placing the company and all other persons in the same position as nearly as may be as if the name of the company had not been struck off.</p>	<p>Made redundant by proposed changes above. In addition it does not seem appropriate to allow recourse to court only once a company has been struck off raises a number of challenges. If the company no longer exists, in whose name can such a case be filed?</p>	<p>Remove</p>
7	<p>Amendment 10</p> <p>(6) The company restored under subsection (5) shall be deemed to have continued in existence as if its name had not been struck off, and the court may, by order, give such directions and make such provisions as seem just for placing the company and all other persons in the same position as nearly as may be as if the name of the company had not been struck off.</p>	<p>Made redundant by proposed changes above. In addition it is unclear whether a company that is “deemed to have continued in existence” will be liable to any taxes and fees payable to the Government during its inactive period</p>	<p>Amendment 10</p> <p>(6) The company restored under subsection (5) shall be deemed to have continued in existence as if its name had not been struck off, and the court may, by order, give such directions and make such provisions as seem just for placing the company and all other persons in the same position as nearly as may be as if the name of the company had not been struck off. There will not be any tax liabilities for the company during its period of inactivity.</p>

Amendments to the Films and Stage Plays Act

No.	Proposed Amendment	Implications, gaps	Proposed Revision
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No.	Proposed Amendment	Implications, gaps	Proposed Revision
1	<p>6A.-(1) Any foreign production company or individual using Tanzania scene, content and location for filming the whole or any part of a film, advertisement, documentary or program, shall-</p> <p>(a) submit to Tanzania Film Board raw footage;</p> <p>(b) acknowledge all physical locations used for filming;</p> <p>(c) submit a copy of a finished film, advertisement, documentary or program; Provided that, such use is compatible with fair practice and that the source and the name of the executive producer and production company are mentioned in the film, documentary or advertisement.</p> <p>(d) sign a prescribed clearance form before exiting Tanzania and submit the same to the Tanzania Film Board or any other authority appointed by the Board;</p> <p>(e) grant rights to the government of Tanzania to use content for the purposes of promoting Tanzania and its potential resources, tourism, photographic location and cultural attraction which are distributed through public broadcasts, cable programs, sound or visual recordings or any other digital platform used by public broadcaster:</p> <p>(2) Any person who contravenes subsection (1) shall, upon conviction, be liable to a fine of not less than five percentum of the production cost of the film, advertisement, documentary or program.</p>	<p>This places unnecessary restrictions on international entities using Tanzania as a location for filming in the global market. This should not be mandatory. This will affect the local film industry and capacity and make the country unable to compete and have an impact on film tourism.</p> <p>6A.-(1)(e) Gives government unrestricted access to creative artists' copyrighted content.</p>	<p>6A.-(1) Any foreign production company or individual using Tanzania scene, content and location for filming the whole or any part of a film, advertisement, documentary or program, shall-</p> <p>(a) acknowledge in their final production all physical locations used for filming;</p> <p>(b) submit a copy of a finished film, advertisement, documentary or program to the Tanzania film board for its records;</p> <p>(c) grant rights to the government of Tanzania to use content for the purposes of promoting Tanzania and its potential resources, tourism, photographic location and cultural attraction which are distributed through public broadcasts, cable programs, sound or visual recordings or any other digital platform used by public broadcaster: Provided that, such use is compatible with fair practice and that the source and the name of the executive producer and production company are mentioned in the film, documentary or advertisement.</p> <p>(2) Any person who contravenes subsection (1) shall, upon conviction, be liable to a fine of not less than five percentum of the production cost of the film, advertisement, documentary or program.</p>
2	<p>Amendment 18</p> <p>(3) There shall be film boards established in every district which shall be appointed by Tanzania Film Board.</p>	<p>The industry is not large enough to warrant a film board in every district. This will lead to unnecessary administration costs.</p>	<p>This amendment should be removed</p>
3	<p>Amendment 20</p> <p>(1) A person shall not display or advertise or cause or permit to be displayed or advertised in a public place, so as to be visible from a public place, any poster unless a Film Board has first approved a poster for public display through any platform or media display</p>	<p>The Principal Act defines poster as follows; "poster" means any poster or other advertisement advertising a film or exhibition</p> <p>Fundamentally, this restricts freedom of expression contrary to the Constitution of the United Republic of Tanzania. This is an excessive level of bureaucracy and censorship and will affect the whole industry. Posters are produced regularly and in abundance, if there is some examples of dangerous or criminal posters that informs this amendment, it should be shared because otherwise this amendment is over-burdensome and over-controlling.</p>	<p>Amendment 20</p> <p>(1) If a person so wishes, they can seek the advice of the Film Board on any sensitive promotional content for films or productions</p>

No.	Proposed Amendment	Implications, gaps	Proposed Revision
4	<p>Amendment 21</p> <p>31A (1) The Board shall obtain profit returns from foreign film production companies or individuals in order to contribute to the national economy as well as local film industry.</p> <p>(2) The Board shall regulate a number of foreign crew entering the country for motion picture activities.</p> <p>(3) The Board shall set guidelines and procedures for accessing famous filming locations</p>	<p>The economy can benefit from film crews using Tanzania as a location. The aim of these clauses should be to facilitate and coordinate this work not create unnecessary hurdles. Production companies should not be charged a portion of their profits as this will discourage them from using Tanzania as a location. Economic benefits to the country of filming here by international entities accrue in their spending while in the country and through the promotion of the country through the footage. The language of clauses (2) and (3) is not enabling but rather restrictive.</p>	<p>Amendment 21</p> <p>31A (1) The Board shall encourage foreign film production companies or individuals to use Tanzania as a filming location</p> <p>(2) The Board shall keep a record of foreign crews entering the country for motion picture activities.</p> <p>(3) The Board shall facilitate access famous filming locations for these companies or individuals.</p>

Amendments to the NGOs Act

No.	Proposed Amendment	Implications, gaps	Proposed Revision
1	<p>Amendment 25</p> <p>“Non-Governmental Organization” also known by its acronym "NGO" and which includes Community Based Organisation (CBO) means a voluntary grouping of individuals or organizations which is, non-partisan or non-profit sharing established and operates for the benefit or welfare of the community or public organized at the local, national or international levels for the purpose of enhancing or promoting economic, environmental, social or cultural development or protecting environment,</p>	<p>The definitions of the term NGO is narrow and excludes important areas of work conducted by NGOs including defense of human rights and promotion of good governance. Since numerous registered organisations are being asked to 'move' their registration to fall under this Act, the definition should be wide enough to encompass their activities.</p> <p>The definition's limitations also minimise space for diversity, creativity and innovation in the sector. The section could negatively impact the communities where organisations are working and whom they have been serving for many years. The existence of these organizations contributes to the social, economic and political development of the country as their work aims to promote social justice, democracy and other critical conditions for development. The work of these organizations directly impacts the lives of the most vulnerable and poor sections within the Tanzanian communities.</p> <p>The function of NGOs is to be both supportive of government as a collaborator and also act as a critic or watchdog on behalf of citizens.</p>	<p>Amendment 25</p> <p>The following definition is proposed:</p> <p>“Non-Governmental Organization” also known by its acronym "NGO" means a private voluntary grouping of individuals or associations, not operated for profit or for other commercial purposes but which have organized themselves nationally or internationally for the benefit of the public at large and for the promotion of social welfare, development charity or research in the areas inclusive of, but not restricted to, health, relief, agriculture, education, industry, social justice, and the supply of amenities and services."</p>

No.	Proposed Amendment	Implications, gaps	Proposed Revision
2	<p>Amendment 26</p> <p>(i) to suspend the operation of any Non-Governmental Organization which violates the provisions of this Act pending determination of the Board</p> <p>(j) to conduct monitoring of Non-Government Organizations activities on quarterly basis and report to the Board</p>	<p>This amendment vests too much power in the Registrar and is open to abuse. A presidentially appointed Registrar should not have the final say in whether an organisation should be suspended or not. The suspension will have an immediate affect on the beneficiaries of the suspended NGO. Most NGO work directly impacts people's lives and welfare, such that allowing for unilateral suspension seems unwise. Further these organizations contribute to providing employment to citizens, if they are suspended this will affect these people, their families and dependents. In addition, monitoring visits on a quarterly basis seem excessive; even the donors who provide the money for activities do not require this. Given that there are over 3,000 registered NGOs, it also seems unreasonable to expect 4 visits a year to be performed and this implies that these visits will be selectively applied. It is better to create an amendment that is more feasible to implement.</p>	<p>i) upon investigation by an independent inquiry; serve a written warning to any Non- Governmental Organization which violates the provisions of this Act and In the case of repetitive default the Registrar may fine the NGO not more than one hundred thousand shillings</p> <p>(j) Provide guidelines on how NGO's should undertake Monitoring and Evaluation</p>
3	<p>Amendment 27</p> <p>The Registrar may require any law enforcement organ or public entity to provide such facilities and services of its employees as may be deemed necessary to assist the registrar in performing the functions under this Act.</p>	<p>The specific requirement to ensure other law enforcement entities co-operate in the regulation of NGOs is fairly unique in law and exposes the organisations registered under this Act to the risk of criminal proceedings during routine monitoring visits. A lot of power is being provided to the registrar which poses a risk, particularly if he/she has an issue with a particular organisation or individual there - this can lead to malicious acts and where there is malice against the work of a particular organization or employee then the registrar may abuse these powers. This clause seems unnecessary as coordination should be assured and law enforcement organs should be activated when criminal activity is suspected not for routine application of an administrative law.</p>	<p>Amendment 27</p> <p>The Registrar shall, having reasonable cause to suspect criminal activity, report the matter to the appropriate law enforcement organs for further action.</p>
4	<p>Amendment 28</p> <p>An Organization registered under this Act, and which does not fit to be a Non-Governmental Organization by virtue of section 2 shall, after expiration of two months from the date of coming into operation of this section, be deemed to have been de-registered</p>	<p>Automatic de-registration of organizations after two months is not a reasonable timeframe in which to allow organizations to make necessary changes to their governance structure considering the number of organizations in Tanzania and the capacity of the office of the registrar to attend to them. The time allocated has not considered a number of factors including geography, varying access to technology and the costs involved in re-registering and changing governance structures.</p>	<p>Amendment 28</p> <p>(1) An organization registered under this Act and which was previously registered under any other law shall be granted a period of 36 months to comply</p> <p>(2) in the event an NGO fails to comply with the provision under subsection (1) the registrar shall demand that NGO to show cause why administrative measures should not be taken against it.</p> <p>(3) The Registrar may recommend to the Board for such NGO to be fined</p>

No.	Proposed Amendment	Implications, gaps	Proposed Revision
5	Amendment 30 (3) A certificate of registration issued under this section shall be valid for a period of ten years. (4) An application for renewal of certificate of registration shall be made six months before the expiry date of its registration. (5) The Board shall renew a certificate of registration upon being satisfied that the organization has complied with the requirements of registration under this Act and any other written laws.	The requirement to seek re-registration/renewal of certificate is unnecessary and creates a burden on the NGOs both financially and administratively. It is also a burden to the Office of Registrar given the number of NGOs which will need to renew their certificates. Instead registration should remain valid until it is revoked through due process. The requirement of 'any other written law is wider unnecessarily. The NGO Act is the main law regulating NGOs specifically and NGOs are subject to criminal laws as well.	Amendment 30 (3) A certificate of registration issued under this section shall continue to be valid unless it is revoked due to violation of the provisions of this Act (4) The Board shall grant a certificate of registration upon being satisfied that the organization has complied with the requirements of registration under this Act
6	Amendment 31 and shall be made available to the public	Some information should remain confidential, this clause could interfere with the right to privacy. The Registrar will have reports available for monitoring purposes. Accountability to beneficiaries is managed in all NGO projects but should not be prescribed uniformly - different projects have different informational needs.	Remove
7	Amendment 32 (c) to adhere to the principles of financial transparency and accountability as prescribed under other written laws	This is covered in regulations to the NGO Act issued in 2018 and thus does not need to be repeated here.	Remove

Amendments to the Societies Act

No.	Proposed Amendment	Implications, gaps	Proposed Revision
1	Amendment 34 deleting the words "order and good government" wherever they appear in the Act and substituting for them the words "order, morality and good governance";	The article leaves a lot of room for interpretation since "morality" is subjective, immesurable, unverifiable and open to interpretation. The Constitution as well as numerous laws already provide for order and good governance which can be made reference. This could lead to protracted, costly court disputes and burden the functioning of societies registered under this Act. Morality should not be legislated by law and enforced by government/the state. There is no law defining morality in Tanzania so this creates significant risk of dividing Tanzanian society.	Amendment 34 deleting the words "order and good government" wherever they appear in the Act and substituting for them the words "in violation of the Constitution of the United Republic or any other laws approved by parliament".
2	Amendment 35 "society" means a non-partisan and non-political association of ten or more persons established for professional, social, cultural, religion or economic benefits or welfare of its members, formed and registered under this Act, ... but does not include - a religious or faith propagating organization	The article is contradictory to its parent clause i.e. 35 (b) in that while the parent clause allows for "associations ... established for religion or economic benefits" the articles excludes "a religious or faith propagating organization". The article is contradictory and may likely throw most religious organizations into disarray as "propagating religion" is in deed core business for most associations formed on the basis of religion.	Remove exclusion (d) from the list
3	Amendment 36 An association registered under this Act, which does not fit to be a society by virtue of section 2 shall, after expiration of two months from the date of coming into operation of this section, be deemed to have been deregistered	It is unclear why such short notice is given to allow societies to become compliant. The proposed amendments alters the conditions for compliance and therefore enough time needs to be availed to allow existing organizations to comply. Recent experience with NGO verification suggests the process may take up to 18 months. There is no appeal mechanism for those societies aggrieved by this clause.	Amendment 36 An organization registered under this Act, which does not fit to be a society by virtue of section 2 shall, after expiration of twenty four months from the date of coming into operation of this section, be deemed to have been deregistered.

No.	Proposed Amendment	Implications, gaps	Proposed Revision
4	Amendment 37 A foreign society intending to operate in Tanzania shall comply with registration requirements under this Act.	While articles mentions "foreign society" it does not go beyond to define what such is and in the end excluding associations that may not have originated from outside of Tanzania. There is no definition and therefore no provision for foreign society hence barring foreign registered associatons from operating in Tanzania	Amendment 37 A foreign society intending to operate in Tanzania shall comply with registration requirements under this Act. For the purposes of this section, a "foreign society" is a society originating in another country that aims to open a branch or chapter in Tanzania.
5	Amendment 38 Any Society declared by order of the of Minister to be a society dangerous to the good governance of Tanzania, shall be declared to be unlawful under the provisions of this section and every such order made under the provisions of this section shall continue in force until revoked under this Act	Good governance' is not defined in this or any other law. The Principal Act section 8(1) empowers the President to declare unlawful any society. This amendment provides the same power to the Minister thereby creating confusion in the law. Further, the article provides unrestricted powers to the Minister. The articles provides no room for appeal and no due process to arrive at deregistration. With such impunity, this clause contravenes the Article 13 (6) (a) of the Constitution of the United Republic of Tanzania.	Amendment 38 Any Society suspected by the of Minister to be a society dangerous to the good governance of Tanzania, shall be subject to a legal process to determine its registration status. ALTERNATIVE: Keep clause as is and include additional clauses as below: 8 (7) No decision will be issued under this section before affected persons are given the right to be heard. 8 (8) A society/person aggrieved by the decision issued under this section should have the right to make application for judicial review before The High Court.

Amendments to the Statistics Act

No.	Proposed Amendment	Implications, gaps	Proposed Revision
1	Amendment 52 "national standards" means guidelines for producing official statistics used by Bureau;	Since these guidelines are to be used to judge the quality of non-government data and its suitability for publishing, it is important to put in place transparent and consultative procedures for the development of these guidelines and their regular dissemination. Otherwise it can appear that the Bureau is making arbitrary decisions just because the guidelines are not know.	Amendment 52 "national standards" means guidelines for producing official statistics used by Bureau; produced in consultaions with stakeholders and regularly disseminated onlien by the Bureau.
2	Amendment 53 Addition of responsibility to the mandate of the Bureau: (g) coordinate publishing of statistical information	Given that Amendment 56 (7 (a-d)) exempts statistical information collected by a significant proportion of organisations that do this work from consultation with the Bureau, it is not correct to say that the Bureau coordinates the publication of all statistical information but more the publication og official statistics.	Amendment 53 (g) coordinate publishing of official statistics
3	Amendment 55 A person who has different findings from statistics disseminated by the Bureau shall, subject to consultation with the Bureau, have the right to challenge such statistics	The use of the phrase "has the right to challenge such statistics" is unclear and can be misleading. The process described is essentially one of approval or not, there is no description of what might be conceived as a 'challenge' and what form such a challenge would take.	Amendment 55 A person who has different findings from statistics disseminated by the Bureau shall have the right to publish its different findings prior to consulting with the Bureau.

No.	Proposed Amendment	Implications, gaps	Proposed Revision
4	<p>Amendment 55</p> <p>(6) The Technical Committee referred to under this section shall be formed by the Minister and shall be composed of members who are conversant with and possess expertise on matters relating to statistics and the subject to be determined</p>	<p>No reference is made to the composition, mandate or rules governing the work of the Technical Committee. We welcome the addition of a point of recourse for disagreements on interpretations of statistics but their independence and integrity must be guaranteed.</p>	<p>Amendment 55</p> <p>(6) The Technical Committee referred to under this section shall be formed by the Minister, with input from the organisation or individual whose statistical information is being reviewed, and shall be composed of members who are conversant with and possess expertise on matters relating to statistics and the subject to be determined</p>
5	<p>Amendment 56</p> <p>(7) Notwithstanding subsection (1), the following statistical information may be published without consultation-</p> <p>(a) surveys or researches in natural sciences, technology or innovation conducted by recognised academic and research institutions such as universities and other academic and research institutions;</p> <p>(b) researches conducted using administrative data or statistics from Government institutions such as ministries, independent departments, authorities and regional administration;</p> <p>(c) surveys or researches conducted for programmes by international organisations, regional bodies, intergovernmental organisations bilateral institutions, diplomatic missions or international development organisations; and</p> <p>(d) surveys or researches conducted purely for internal or personal use by institutions or organisations which are not intended to be published.</p>	<p>We welcome the increased space created in this Act for the publication, without consultation, of statistical information collected by a range of actors. However this leaves few categories of research that require consultation and leads to questions about why these particular organisations are not exempted. These include: recognised academic and research institutions conducting socioeconomic household surveys or knowledge, attitudes and perception surveys; and local civil society organisations conducting research for raising awareness, generating public debate or advocacy; and monitoring and evaluation data often collected by NGOs. We propose a more balanced approach to organisations working to collect statistical information.</p>	<p>Amendment 56</p> <p>(7) Notwithstanding subsection (1), the following statistical information may be published without consultation-</p> <p>(a) surveys or researches in natural sciences, technology or innovation conducted by recognised academic and research institutions such as universities and other academic and research institutions;</p> <p>(b) researches conducted using administrative data or statistics from Government institutions such as ministries, independent departments, authorities and regional administration;</p> <p>(c) surveys or researches conducted for programmes by international organisations, regional bodies, intergovernmental organisations bilateral institutions, diplomatic missions or international development organisations;</p> <p>(d) surveys or researches conducted purely for internal or personal use by institutions or organisations which are not intended to be published;</p> <p>(e) recognised academic and research institutions conducting socioeconomic or knowledge, attitudes and perception surveys;</p> <p>(f) local civil society organisations conducting research for raising awareness, generating public debate or advocacy; and</p> <p>(g) monitoring and evaluation data often collected by NGOs</p>

Amendments to the Tanzania Shipping Agencies Act

No.	Proposed Amendment	Implications, gaps	Proposed Revision
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No.	Proposed Amendment	Implications, gaps	Proposed Revision
1	<p>Amendment 61</p> <p>(g) promoting competition in the maritime transport services;</p> <p>(h) entering into contractual obligations with other persons or body of persons in order to secure the provision of quality and efficient shipping services and maritime environment, safety and security, whether by means of concession, joint venture, public private partnership or other means and to delegate its own functions of providing shipping services and maritime environment, safety and security to one or more parties</p>	<p>Should this section be deleted, it would prevent monopoly with TASAC. Even better, if TASAC came with a campaign to promote competitive advantage over other commercial shipping agents to promote stronger competition for willful award of clearing contract to the regulatory requirements.</p>	Delete
2	<p>Amendment 62</p> <p>(ii) adding between the words “trophies” and “or” appearing in paragraph (a) the following words “fertilizers, industrial sugar, domestic sugar, edible cooking oil, wheat, oil products, gas, liquidified gas and chemicals or any other liquid related products</p>	<p>The list gives exclusivity to TASAC to clear such nature of industrial goods listed, majority of which are the only products that huge commercial clearing companies depend on for their survival</p>	Added list of items between trophies and "or"
3	<p>Amendment 62</p> <p>(d) shipping agency functions in relation to-</p> <p>(i) tanker ships, pure car carriers vessel, cruise vessel, exhibition vessel, casual caller, chartered vessel and military ship;</p> <p>(ii) minerals, mineral concentrates, machineries, equipment, products or extracts related to minerals and petroleum, firearms and ammunition, live animals, Government trophies, fertilizers, industrial and domestic sugar, edible or cooking oil, wheat oil products, gas, liquidified gas and chemicals or any other liquid related products"; or</p> <p>(iii) any other goods as the Minister may by order published in the Gazette prescribe.</p>	<p>Shipping agency functions that should fall under TASAA and should be carried out with regulator for ship agency. Where TASAC handles these activities, as well as those for clearing, a great loophole for corruption may arise, at the time of requesting for the delivery orders</p>	
4	<p>Amendment 69</p> <p>The principal Act is amended in section 46, by-</p> <p>(a) deleting the words “business of shipping agency” appearing in paragraph (a) and substituting for them the words “regulated service”; and</p> <p>(b) deleting paragraph (b) and substituting for it the following: “(b) inspect and take copies of any record required under this Act to be kept in respect of regulated service or any other records relating to such service,”</p>	<p>Changes affected related to the inspection of documentation of the regulated activities under the corporation. The only concern is, whether a prior notice for such inspection would be served or not, which has not been specified. If the inspection would be abrupt, then it would disturb the productivce operations time, causing unnecessary panic and NPT</p>	