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New yellow fever certificates being issued

The Ministry of Health, Community Development, Gender, Elderly and Children has announced procedures and centres to be used for people, who want to secure new yellow fever vaccination cards. According to a public notice issued by the Ministry, the new cards will be provided in two groups of those living in Dar es Salaam and regions close to borders and residents of the regions that are far from health centres mentioned in the first group.

Those, who live in Dar es Salaam and near border posts can obtain the new cards at the ports of Dar es Salaam, Tanga, Kigoma and Mwanza and airports in Dar es Salaam, Mwanza and Kilimanjaro, as well as at Tunduma, Kasumulu, Mtasambwala, Tarakea, Holili, Holoholo, Namanga, Mutukula, Rusumo, Sirari and Isaka boarder points. The cards will also be available at Mnazi Mmoja Hospital in Dar es Salaam. "The change of yellow fever vaccination cards is in progress and will be closed on March 31," reads the notice.

The process requires a person to fill in a special form, which is also available at the Ministry's website (www.moh.go.tz) or at the centre stated above and submit it to the centre together with their old cards and passports and pay a TZS 5,000 fee for Tanzanians and USD 10 for non-Tanzanians before they are provided with the new cards. "If your old cards is not genuine the service provider will put you under a physical examination and vaccinate you," adds the notice.

People living in other regions far from the mentioned centres will be required to visit the office of their regional medical officer, where they will fill in the forms, attach with their old cards and passports.

New law on real estate industry long overdue

The Real Estate Regulatory Authority Bill and the Real Estate Agent Bill, both of which seek to regulate the sector, are long overdue. It is the government's belief that when these Bills are passed into law, it will be in a position to know the exact number of houses in supply as well as the cost of buying and renting each.

Though the Deputy Permanent Secretary in the Ministry of Lands, Housing and Human Settlements Development Moses Kusiluka says the government doesn't intend to use the impending law to control prices, the fact is, it will bring sanity to this highly unregulated but fast-growing economic sector.

Registering real estate agents and ensuring that ones working in that particular area possesses at least a Diploma, will be a welcome move to over 14 million Tanzanians who live in rented properties.

These are the people who are easily hoodwinked by agents (*Dalalis*) when it comes to rental or purchasing price. As things stand, these agents make such easy money that one cannot make a clear difference between them and conmen.

Around the World

German Court rules against Syrian refugee in Facebook case

A Syrian refugee who took a selfie with Angela Merkel has failed in his attempt to sue Facebook over a series of posts falsely linking him to terrorist attacks. The photograph which Anas Modamani, from Darayya near Damascus, took of himself and the German chancellor at a Berlin refugee shelter in September 2015 has since been repeatedly shared on doctored photomontages supposedly identifying him as the culprit behind crimes and terrorist attacks across Europe.

Trump's revised travel ban is denounced by 134 foreign policy experts

More than 130 members of America's foreign policy establishment denounced President Trump's revised travel ban as just as damaging to the United States' interests and reputation as his original order that halted refugees and froze travelers from predominantly Muslim countries.

Germany failing to protect citizens of African descent

A UN Working Group concluded that people of African descent in Germany suffer discrimination, profiling and xenophobia on a day to day basis. The report concluded that, "institutional racism and racist stereotyping by the criminal justice system has led to a failure to effectively investigate and prosecute perpetrators of racist violence, racial profiling and hate crimes against people of African descent." The report highlights how the General Equal Treatment Act is too narrow to afford protections to individuals of African descent. The group acknowledged that the Basic Law of Germany guarantees human dignity for all, but does not extend to undocumented people. The panel suggested recommendations to the German government so they can afford more protection to this population.

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The *Dalali*, most of whom hold doubtful academic credentials, if any, are found in all corners of Dar es Salaam and other major urban centres making up to 10 per cent of the value of a plot/land/house whose sale/renting brokered. It is reckoned that the 10 per cent is behind an escalation of rental and house buying costs which goes untaxed.

Minister warns against environmental ruin

Minister of State in the Vice-President's Office (Union and Environment), Mr January Makamba, has cautioned mining companies over environmental degradation, saying the matter can lead to social grievances around mining sites.

He told the companies to maintain good social relations in areas they operate, including taking into consideration environmental issues that could affect the communities.

"It's very important the way you engage with communities; don't think that things are all OK after getting mining licence; issue of compensation is also crucial," he said when speaking at the minerals and energy stakeholders gala dinner in Dar es Salaam in February.

He pointed out that the government was considering capacity building among artisanal miners so that they mine in a manner which is environmentally friendly.

Chairman of the Tanzania Chamber of Minerals and Energy (TCME) which organised the event, Ambassador Ami Mpungwe, said the chamber membership, singularly and collectively, was deeply committed to the renewed concern and care for the environment as an imperative for survival and sustainable development of the sector.

"In this regard, such issues like climate change, deforestation, bio-diversity depletion, water deficits, marine pollution, fisheries depletion and so on, are of very deep concern to our membership as we work for and continue to demand some urgent local and global solutions," he said.

Population growth that covers almost the entire world tends to exacerbate the problems of pollution, waste disposal, epidemics, sanitation and depletion of non-renewable resources.

"Our mining industry, therefore, strongly supports the intensified calls for coherence and effectiveness in the implementation of both, local and global conventions on environmental management," he noted.

Only pilots and professors to get contracts on retirement

The National Assembly was informed that only pilots and university lecturers are public servants who will continue to serve on contract after reaching retirement age.

Responding to a supplementary question, the Minister of State in President's Office (Public Service Management and Good Governance), Ms Angella Kairuki, said the government had issued a circular directing that only pilots and university lecturers will be hired on contractual basis when they retire.

"However, we have directed that when they (pilots and lecturers) receive the contracts they have to write us a detailed plan on how they are going to groom new professionals to fill their posts when their contracts expire," explained the Minister.

Around the World

South Africa cancels withdrawal from ICC

South Africa informed the UN that it is canceling its decision to withdraw from the International Criminal Court (ICC). South Africa's decision to cancel the withdrawal comes in response to the South African High Court finding the withdrawal unconstitutional.

UK's Supreme Court ruling backed the GBP 18,600 earning threshold for non-European spouses

If you wish to bring a non-European Economic Area spouse to live with you in the UK, you need to be earning a minimum of GBP 18,600. Earlier this week, Supreme Court justices backed this threshold, introduced by then home secretary Theresa May in 2012. But the Court also agreed that the income rule had "a particularly harsh effect" on British citizens who have lived and worked abroad, have married or formed stable relationships there and now cannot return home to Britain.

Israeli lawmakers advance bill to curb loudspeakers in Muslim call to prayer

A bill that would regulate the traditional use of loudspeakers for the Muslim call to prayer passed its first legislative hurdle in Israel's Parliament, provoking frustration and anger among some Arab lawmakers. One version of the bill would prohibit places of worship from using loudspeakers between 11 p.m. and 7 a.m., while another would ban any broadcast over such speakers regardless of the time of day if it is deemed "unreasonably loud". The first daily prayer is traditionally performed before sunrise.

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Ministry to conduct verification of work permits

In a Public Notice issued by the Prime Minister's office- Labour, Employment, Youth and Persons with Disability dated 22 February 2017, all non-citizens are required to submit their work permits to the nearest labour offices for verification. The Ministry expects voluntary compliance on or before 23 March 2017.

The Public Notice states clearly that "Employers are hereby informed that, there will be a special labour inspection to all undertakings aiming at ensuring that all non-citizens hold valid work permits. We, therefore, call upon all non-citizens to submit their work permits to their nearest area labour offices for verification within 30 days from the date of this public notice."

According to our reading of the Public Notice, the Ministry wishes to verify that all work permit holders are in possession of genuine and proper documents, and to ensure that all non-citizens, their employers and agents are in compliance with the Non-Citizens (Employment Regulation) Act of 2015 (the Act).

The Notice reminds the public that non-citizens working without a valid work permit issued by the Labour Commissioner are committing an offence. As has been previously communicated by the FB Attorneys Legal Updates team, working and/or employment on a business visa/business pass is contrary to the provisions of the Act.

Employers and non-citizens are reminded that a business visa/business pass can only be used for those who are entering Tanzania for short term business purposes, attending board and other meetings, for short term training purposes, machine installation and maintenance to mention a few. A non-citizen cannot commence employment in Tanzania with a business visa/business pass.

House team calls for doubling of fuel levy

Agriculture, Livestock and Water Parliamentary Committee has recommended an increase of water levy to TZS 100 per litre of fuel that enters the country from the current TZS 50.

The committee, however, commended the National Water Fund for a job well done in financing water projects across the country, arguing that it needed more support to achieve even more.

The Finance Act 2016 introduced the levy at TZS 50, which had scored major successes in financing projects across the country. But that isn't enough, the committee counsels.

Government overrules TCRA ban for online televisions

Information, Culture, Arts and Sports minister Nape Nnauye has revoked the order by the Tanzania Communication Regulatory Authority (TCRA) to ban online televisions run from Tanzania. Among top channels that were affected by TCRA order were Michuzi TV, Ayo TV and Global TV.

The regulatory authority had pointed out that it was still preparing regulations for online TV operations.

A letter signed January 30, 2017 by the director general of TCRA, Mr. James Kilaba, ordered owners of the online channels, which are watched in and outside the country, to stop broadcasting until further notice.

Around the World

Italy Appeals Court rules in favor of same-sex parental rights

The Court of Appeals in Trento, Italy, ruled that the names of both same-sex partners should be listed on their child's birth certificate. The Court held that both fathers should have their names on the birth certificate even though only one person is the biological father. The Court found that even though the child was born through surrogacy, both parents create a familial unit and should have equal rights to the child. The ruling is not only a landmark win for same-sex couples but for any parent who is not biologically related to their child as the Court held genetics is not a dispositive factor in determining parental relationships.

EU Parliament votes to impose visa requirements on US citizens

The EU Parliament adopted a resolution directing the EU Commission to take measures to temporarily reintroduce visa requirements for US and other nationals whose countries still do not grant visa-free access to nationals of five EU countries — Bulgaria, Croatia, Cyprus, Poland and Romania. The Parliament wants the Commission to set a one-year suspension for the US within two months. The Parliament has particularly taken issue with the fact that there is no reciprocity from the US. The EU Commission contacted the US with a notice of non-reciprocity concerning the five countries in April 2014, and according to its rules, the Commission should have already taken action last April after the expiry of 24 months since notification.

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“According to section 13(1) of the Electronic and Postal Communications Act (Cap 306), Tanzania’s laws require providers of all such services to obtain permits from TCRA,” the letter reads in part.

The order had stirred up a lot of hot debate on social media platforms, where most contributors were of the opinion that the move interfered with press freedom and freedom to information.



Government to review certification regulations

The government is reviewing certification regulations in order to have one coordinated approach between Tanzania Bureau of Standards (TBS) and Tanzania Food Drug Authority (TFDA) to reduce inconveniences to home based processing industries.

Permanent Secretary in the Prime Minister’s Office Parliament, Policy, Employment, Youth and PWDs Mussa Uledi said that home based processing industries in the country were still facing a number of challenges including duplication of work for agencies used to issue certification.

Uledi said there is a need for TBS and TFDA to work together instead of working as separate entities the situation that increased costs.

The Permanent Secretary said in order to eliminate all cumbersome processes including high costs, the government needs to review the regulation, adding that the process would be completed before the end of this year.

He however admitted that home based processing industries have great contribution to individuals and the nation as a whole since they employ multiples from different sectors.

Uledi who was the former PS in the Ministry of Industry, Trade investment explained that despite its contribution in the sector, it had been operating in the poor environment.

He explained that the government review of the regulations was to enable the home based processing industries utilize the economic opportunities to produce more in the market.

According to the PS, once the review of the regulation is over, both TBS and TFDA will have to work as one entity.

Law in pipeline to help SME to secure bank loans

A law, which enables micro, small and medium enterprises access soft loans from banks and financial institutions is underway.

Finance and Planning Deputy Minister Dr. Ashatu Kijaji said the new development is a part of the policy enacted by the government last year.

How the law will be drafted and its implementation will have to wait to be seen.

Around the World

UK House of Lords amends Brexit Bill to protect residence for EU citizens

The UK House of Lords voted to amend HL 108, also known as the Brexit Bill to protect residence rights for EU citizens. With a vote of 358 to 256, the Lords voted to allow EU citizens who are residents of the UK to remain as residents after Art. 50 is triggered and the UK leaves the EU. Despite this setback for the government, Prime Minister Theresa May still intends to initiate the process before March ends. The conservatives plan to fight the measure.

London minicab drivers must pass English test

A London High Court judge ruled that all drivers applying for a minicab or private hire vehicle license must pass a English reading and writing test that includes a 120-word short essay. The case was taken to Court by Uber Technologies, the ride-share app company, which protested the new language test rules of Transport for London, London’s transport authority. Uber, representing the drivers, argued that the language requirement would cause 33,000 drivers to lose their livelihoods and have a “disproportionate impact” on drivers from countries where English was not predominantly spoken and thereby amounts to an “indirect discrimination on grounds of race and nationality.”

A Snuggie is not an outfit

Snuggie has won a lawsuit classifying it as a blanket not an item of clothing (for tax purposes). “The blanket with sleeves” is a blanket, a US Federal Court ruled last month. The company wanted to change the classification of the item so that it could pay less in import tariffs. Imported garments, aka clothing, get a 14.9% tariff, while imported blankets only pay 8.5%.

Legislators raise concern over government budget funding strategy

Lawmakers have raised questions over the financing of the development budget in the current fiscal year, and warned the government faces tough challenges ahead to meet its targets. They have urged the government to widen the internal tax base to avert problems in the future.

A report tabled by the Parliamentary Budget Committee noted that one of the main reasons for low financing of development budget was delays in accessing foreign funds, which include grants, development project loans and non-concessional borrowing.

The report covered the first quarter of the 2016/17 fiscal year (July-September 2016).

Presenting the report, the committee vice chairperson, Mr Josephat Kandege (Kalambo-CCM), said by September 2016, donor partners had injected only TZS 285B, which was only 16 per cent of the target for the quarter.

According to a recently released Bank of Tanzania's Monthly Economic Review for December, the funds reached TZS 328B, a far cry from the target of TZS 1.01T for the first five months of the current fiscal year.

"This trend shows that we are still facing a great challenge of financing our budget by depending on donor partners," said Mr Kandege. "There is a great possibility that we will fall short of our targets, especially on the execution of development projects."

Some of the worst-hit institutions, by the end of quarter one of the budget year were the National Assembly, National Irrigation Commission, Ministry of Livestock and the Fire Brigade, which received not even a single penny for their development projects. Another setback to the budget financing, according to the report, is the exponential growth of the national debt. The committee noted that, in a span of one year the debt grew by 18 per cent, from USD 19.69B in June 2015 to USD 23.2B in June 2016.

"Although the government continues to insist that the national debt is sustainable, an 18 per cent growth in just a year is very alarming and might force the government to inject a substantial chunk of its revenues to service the debt, a situation which is definitely affecting the budget financing," said Mr Kandege.

Debating the report, Maswa East MP Stanslaus Nyongo (CCM) said funding of the development budget was not looking good. "The Ministry of Industries, Trade and Investments has so far received only 10 per cent of its development budget, while the Prime Minister's Office-Environment received zero per cent...when we plan our budget, we should be realistic; we moved from TZS 22T last year to TZS 29T this year, but still, we're facing execution challenges," he said.

"If we knew that the bigger chunk of the national debt was maturing why was this not forecasted in the budget; that is a serious omission."

Around the World

Samsung executives deny bribery charges

Five Samsung executives, including the head of Samsung Group, Jay Y. Lee, denied all bribery, embezzlement and corruption charges levied against them. During a preliminary hearing at the Seoul Central District Court, the Samsung defense team argued that the evidence gathered by the special prosecutor includes numerous conversations and other various testimonies that were not gathered in accordance with Korean evidence rules. Additionally, Samsung attorneys argued that many of the statements in the indictment of Lee were opinions of the prosecutor and not matters of fact. The trial is estimated to last three months.

Bangladesh passes law allowing some child marriages

The Bangladesh Parliament passed revisions to the Child Marriage Restraint Act, allowing girls under the age of 18 to be married under "special circumstances."

The revisions do not change the minimum marriage age requirements set in 1929. Instead, they designate a committee of local officials to review individual cases of underage marriage and determine whether they may be approved by the Court. According to officials, the new law gives pregnant girls a legal escape from social ridicule. Rights groups have argued, however, that the law may further enable families to arrange child marriages.

Belgium's new deportation law raises red flag with civil rights groups

Belgium's Parliament has quietly passed legislation giving the government extraordinary powers to deport legal residents on the mere suspicion of engagement in terrorist activities, or for "presenting a risk" to public order or national security, without a criminal conviction or the involvement of a judge.

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Legal Aid Provisions Law approved

Finally the long-awaited Legal Aid Provision Bill, 2016 has been approved by the parliament now waiting for President John Magufuli's consent to be a new law. Parliamentarians passed the bill legalising legal aid provision across the country last month.

Constitution and Legal Affairs Minister Dr Harrison Mwakyembe said the law will help a large population formally locked out on legal services to now access the service. "But also allow legal aid providers who have been supportive especially to financially challenged group to seek justice in the Court of law without fear," he said. "This will allow and officially recognise the services."

Legal aid provision in criminal proceedings had been facing many challenges, including inadequate service providers and absence of law that governs the operations of such services.

Tanzania Network of Legal Aid Providers (TANLAP) Executive Director Ms Christina Kamili speaking shortly after the National Assembly passed the bill said "I am so delighted with the news."

"We have struggled for years to try to advise the government on the necessity of the law, and today we're on the same page," she said in Dodoma.

The new bill will now give recognition and accreditation of paralegal and legal aid providers in the country. The enactment of the law, expected to regulate issues related to the provision of free legal aid in the country will open a new chapter, enabling Tanzania to implement meaningful reforms that will guarantee effective access to justice for all, including the poor and vulnerable.

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