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Tanzania opens bids for construction of Rufiji Hydro power in Stiegler's Gorge

The government of Tanzania has opened the tendering process for the Rufiji Hydro Power project in Tanzania.

The hydro power project at Stiegler's Gorge will see the construction of the largest dam in Tanzania along the Rufiji River in the Selous Game Reserve. It will also have an installed capacity of at least 2,100 MW with a minimum guaranteed annual firm energy of 5,920 GWh. The mega project will moreover comprise of construction of the main dam and appurtenant structures with the expected total reservoir storage capacity of 34,000 million cubic.

The height of the dam will be about 134 metres. Further to that, the reservoir length in estimate will be 100 kilometres covering an area of about 1,350 square kilometres. In addition to the main dam, there will be saddle dams and cofferdams. There will also be the construction of power houses to generate a capacity of 2,100 MW and a 400kV switchyard.

The deadline for submission of bids is at 10:00 hours East African Time on October 16, 2017. Both private and public or semi-public companies are invited to apply for the tender but only if they can establish that they are legally, autonomous and operate under commercial law. Bidders should have minimum average annual construction turnover of USD 500M. It should be calculated as certified payments received for contracts in progress and or completed within the last five years.

The Rufiji Hydro power project is expected to be completed in three years' time. For further information please click on link: <https://mem.go.tz/wp-content/uploads/2017/08/30.08.2017-RUFIJI-HYDROPOWER-PROJECT-ADVERT-FINAL.pdf>

Media licensing process officially set in motion

The government has officially set in motion the process of licensing print media outlets in compliance with the Media Services Act 2016 and its regulations.

Speaking at a media briefing session in Dar es Salaam, the Director General of Tanzania Information Services (MAELEZO) and Chief government spokesperson Dr Hassan Abbasi, said all newspapers, journals, newsletters and magazines being published currently must be registered afresh.

He said October 15, 2017 had been set as the deadline for application of new licences, as well as registration of all newspapers, magazines, newsletters and journals that are currently being produced.

Around the World

Israel High Court strikes down ultra-orthodox draft law

The Israel High Court of Justice ruled that a law exempting ultra-Orthodox Jews from compulsory military service is unconstitutional. Israel has mandatory military service, but a 2015 law allowed the defense minister to grant exceptions from the draft to yeshiva students. The High Court ruled 8-1 that the law was unconstitutional because it discriminates between religious and non-religious men who are eligible for the draft. The one dissent argued that not enough time has passed to determine if the law is unconstitutional. The decision of the court will not take effect for one year, giving lawmakers time to create a new draft law that does not discriminate.

Google appeals EU antitrust fines

Google appealed its EU antitrust fine after Intel's partial victory against a similar EU sanction. Google's appeal comes two months after the initial antitrust fine by the European Commission for abusing its "dominance in general internet search" to unfairly promote its shopping service instead of promoting Google Shopping on its merits. Google gave its Google Shopping prominent placement in its own search results and subsequently demoted the placement of other similar services, and the Commission deemed the company's actions to be illegal.

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Dr Abbasi said MAELEZO would process the applications at its offices in Dar es Salaam and Dodoma regions, stressing that, beyond the deadline, any publication that would not have finalised the procedures would not be allowed to operate, clarifying, however, that, this didn't apply to fresh applicants.

The DG pointed out that the issuance of new licences would now be done annually, to heed the legal requirements stipulated by the law and guided by its regulations announced in the Government Notice (GN), Number 18 of February, 3, 2017. Dr Abbasi explained that, in order to simplify the licensing and registration process, stakeholders could also access all the necessary information, including the application forms, payment account and the required supporting registration documents in its website: www.maelezo.com.

The chief government spokesperson urged media house managers, practitioners and proprietors to read and grasp the Act and its Regulations carefully for effective implementation, emphasizing that the major objective of the Act was to inject sanity into the profession.

According to Section 5 of the Media Services Act, 2016, the Director General of Tanzania Information Services is, among other things, charged with responsibility of licensing print media.

Tax changes come under scrutiny

The government's tendency of making tax decisions without involving some sections of the business community is adversely impacting on operators of small and medium enterprises (SMEs), PricewaterhouseCoopers (PwC) has said.

Speaking during a one-day training that brought together 26 members of the Centre for Entrepreneurship and Executive Development in Tanzania (CEED), the PwC director for tax services, Mr Joseph Lyimo said research shows that a number of SMEs tend to lose their capital due to uncertainties associated with tax changes. The training aimed at highlighting key tax measures for the 2017/18 financial year.

"We have conducted research and established that some SMEs have reduced their capital largely due to a lack of knowledge on tax reforms," said Mr Lyimo.

Some of the areas discussed during the training included business environment, revenue collection, the budgeting process as well as other tax and policy changes in line with the 2017/18 budget which culminated into the 2017 Finance Act.

"It is important for SMEs to be aware of the new tax changes that come each financial year if they are to grow. Otherwise, they will lose their capitals," he said

CEED executive director Atiba Amalile said the training aimed at giving SME operators a chance to learn from experts on issues pertaining to the national budget and how it could affect businesses and the country as a whole. He said as the country continues to gain momentum towards building a semi-industrial economy, SME entrepreneurs will be crucial stakeholders in achieving the country's growth objectives as outlined in the government's Vision 2025.

Around the World

Kenya opposition candidate threatens to boycott re-vote

Kenyan presidential candidate Raila Odinga, whose campaign against the incumbent president Uhuru Kenyatta was declared unsuccessful after a countrywide election last month by the Independent Electoral and Boundaries Committee (IEBC), has issued a statement that he would not be participating in the October reelection process. The August election itself has been invalidated by Kenya's highest court. Odinga has stated that he will not participate in another election "without legal and constitutional guarantees."

Europe rights court restricts employer ability to monitor employee communication

The European Court of Human Rights (ECHR) ruled 11-6 that unrestricted monitoring of an employee's communication by his or her employer constitutes a violation of Article 8 of the European Convention on Human Rights (Article 8), concerning the "right to respect for private and family life." This ruling concerns a 2007 incident wherein a private company in Romania was monitoring the Yahoo! Messenger communications of its employee, who was asked to create the messenger account to respond to client inquiries. The employee used the messenger for personal purposes in addition to using it for business purposes. This resulted in the employee's immediate termination from his employment.

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Amendment of the VAT Act

Speaking at the newly inaugurated TZS 4B modern Korogwe bus stand in Tanga Region, the Head of State said it was irrational to impose VAT on everything, especially soft loans and grants.

"In 2015, we made amendments that lead to imposition of VAT on everything. These changes have affected us immensely. When we negotiated with the World Bank (WB) on this project (Korogwe Bus Stand) the amendment hadn't been effected.... I have directed the AG, Regional Administration and Local Government and other responsible ministries to fast-track the amendment of the section of the VAT Act during next month's Parliamentary session," Dr Magufuli said.

He pointed out that when VAT was imposed on development projects funded under soft loans or grants from development partners, the government suffers immensely because it has to raise money to pay the tax.

"That is why I have directed the Minister of Works, Transport and Communications, and his counterparts in charge of Finance, to make sure that the seized materials for the Dar es Salaam-Morogoro Standard Gauge Railway (SGR) should be released soon as we await the amendment," the President added.

Dr Magufuli said the current WB projects, which are undertaken under the 'soft loans' system do not deserve to be taxed because the VAT can be utilised elsewhere, adding, "Yes, we need VAT but not from everything because this slows down development."

He pointed out, for instance, that an X-ray machine donated for serving wananchi could be seized at the port as the Taxman would demand VAT, while patients would be suffering in hospitals. "The donors give you something for free, and then you demand that they pay tax... this is sheer nonsense," said the President, as he stressed the need for amendment of the 2015 VAT Act.

Reviewing the law that formed the Tanzanian Coffee Board

The government is working to review the law governing the formation of the Tanzania Coffee Board (TCB) to make it effective to farmers and coffee production in the country.

According to Agriculture, Livestock and Fisheries Minister Charles Tizeba, the move is meant to allow TCB to concentrate on helping farmers rather than leave that obligation in the hands of district councils. Seeing weaknesses, the minister appointed members of the new Board of Directors of Coffee in accordance with Section 1 (1) - (4) of the Coffee Act of 2001.

Tizeba made the remarks when visiting TCB headquarters in Moshi Municipality in Kili-manjaro Region. The Minister, however, directed the board's lawyer, Engisaria Mongi, to report to the ministry immediately to commence the amendment process for the law forming TCB.

"There is a need for the National Assembly to review the Parliamentary Act that made the Coffee Act and arrange new responsibilities for the board to enable it to engage fully in coffee development," he stressed.

According to him, the country sells 50,000 tonnes of coffee in the global market, which is produced on 230 hectares of land. Tizeba said the mentioned legal weakness were killing the crop as farmers usually uprooted coffee trees and planted alternative crops after experiencing losses.

Around the World

Settlement allows people denied entry under original travel ban to reapply for visas

Individuals blocked from entering the US by President Donald Trump's original travel ban order can reapply for visas, under the terms of a settlement reached this month. Those who have a right to reapply are to be informed and notified of legal services that can aid them. A three-judge panel questioned a Justice Department lawyer in a hearing regarding the revised travel ban. In July a judge for the US District Court for the District of Hawaii expanded the exemptions permitted under the Trump administration's temporary travel ban on visitors from six predominantly Muslim countries. The US Supreme Court is scheduled to hear further arguments on the matter in October.

Non-pork meals must be available for school lunch, rules French court

A French court has ruled that schools should provide an alternative to pork school lunches in the interest of Muslim and Jewish children who do not eat the meat. The decision came after a rightwing local authority stopped providing a choice for children. A Muslim organisation won its legal case against the authority at Chalon-sur-Saône in Burgundy. The court, sitting in Dijon, annulled the town hall's 2015 decision not to provide an alternative to pork in its school canteens. Chalon-sur-Saône officials said they would appeal against the decision. The judge said he was not concerned with religious considerations but ruled that the town's failure to provide an alternative meal, which meant many local Muslim children went without lunch, was "not in keeping with the spirit of the international convention on the rights of children" and was not "in the interests of the children".

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Conservationists call for tougher laws against wildlife poaching

African governments and non-governmental organisations are starting to take wildlife crimes as seriously as other transnational crimes such as drug smuggling and human trafficking. In recent years, countries such as Tanzania have strengthened anti-poaching laws and stepped up prosecutions. Conservation groups have now started to back new ways to deter poachers.

The newly created Wildlife Justice Commission (WJC) said it was now gathering evidence to disrupt and help dismantle transnational, organised wildlife crime in Tanzania and elsewhere in Africa.

Poaching is rampant because the probability of being caught is extremely low. "The WJC aims to encourage the prosecution of these crimes, increase risks for perpetrators and, in the long run, generate a deterrent effect. Arrests and the disruption of wildlife smuggling networks in various African countries have resulted from this approach. However, challenges still remain. In recent years, the number of animals killed reached historic heights, a development with far-reaching consequences. For example, nearly 1,400 African rhinos were poached in 2015.

In 2010 the number was about 400. Poaching and illegal trade not only present real environmental dangers, but ultimately undermine the rule of law by potentially fueling conflict, reports the United Nations Office on Drugs and Crime (UNODC) in its first World Wildlife Crime Report, published in May 2016.

The decline can in part be attributed to the strengthening of the laws, Ms. Kahumbu wrote in an article for the Guardian, a British daily. In its report, UNODC notes that gaps in legal enforcement are facilitating wildlife crimes. "Illegal trade could be reduced if each country were to prohibit, under national law, the possession of wildlife that was illegally harvested in, or illegally traded from, anywhere else in the world," UNODC writes. States and the international community are both increasingly recognizing the need for better laws and law enforcement.

The DNA information can be used in court as watertight evidence. It can prove the link to a suspect, for example, through hairs at the crime scene or a knife with blood. Moreover, most animals appear to have been killed in few specific hotspots in Africa. 2/3 Sometimes suspects are never caught, their cases fail to come to trial or they receive penalties that are far too weak.

Around the World

Philippines' Duterte orders police to kill 'idiots' who resist arrest

President Rodrigo Duterte has told Philippines police they are allowed to kill "idiots" who violently resist arrest, two days after hundreds of people turned the funeral of a dead teenager into a protest against the president's deadly war on drugs. Duterte broke off midway through a prepared speech at the Heroes' Cemetery on the outskirts of Manila and addressed impromptu comments to Jovie Espenido, the police chief of a town in the south where the mayor was killed in an anti-drugs raid. "Your duty requires you to overcome the resistance of the person you are arresting ... [if] he resists, and it is a violent one ... you are free to kill the idiots, that is my order to you," Duterte told the police officer.

Attorney general begins inquiry about social media impact on UK trials

Social media may be putting the right to a fair trial at risk, according to a public consultation launched by the government's chief legal adviser. The attorney general, Jeremy Wright QC, published a call for evidence to assess the impact of social media on criminal cases and establish whether extra reporting restrictions are needed. The initiative follows recommendations by the senior appeal court judge, Sir Brian Leveson, following legal challenges over what could be published about the trial of two schoolgirls who were eventually convicted of murder.

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Government gives 30 days to retired officials to return diplomatic passports

The Immigration department has given one month to retired officials who are still holding diplomatic and service passports to return the travel documents as stipulated in the regulations of the issuing authorities.

A statement issued by the Ministry of Home Affairs said that it was against the Tanzania Passports and Travel Documents Act, 2002, and its regulations, for an official to continue holding a diplomatic or service passport even after retirement from office. However, there are exceptions to the law, said the statement: "Retired top level government leaders and heads of national security agencies are exempted".

Article 10, Sections 2 and 3 of the law; and Schedules 2 and 3 specify persons who are eligible to hold diplomatic and service passports. The Immigration office said it would take action on whoever will not adhere to the call.

According to the statement, the Immigration department would move to stop all those holding the travel documents illegally; at all the country's points of entry or exit and bar them from traveling in or outside the country.

"The travel documents must be returned to the Immigration department within one month from the day of issuing this public announcement," reads the statement in part.

Speed up cases, PCCB ordered

President John Magufuli condemned the slow pace on investigations and prosecution of graft cases, directing the anti-corruption body to discharge the cases, swiftly.

"If we curb corruption by 80 per cent, we will be in a position to solve many challenges facing our country; the efforts we are taking now to tame the vice are already attracting admiration from development partners and investors," Magufuli remarked at the State House in Dar es Salaam.

Speaking after swearing-in the newly appointed Deputy Director General of the Prevention and Combating of Corruption Bureau (PCCB), Brigadier General John Mbungu, Dr Magufuli said swift investigations and prosecutions would manifest the government resolve to tackle the social vice.

"I have committed myself to squarely deal with corruption and I want you to do the same in your workplaces. I want as many corrupt people as possible jailed, I know there are people who do not want to hear that but it's what I want.

"The corrupt, it seems, have turned themselves into tutors of others... if we jail them all, we will get rid of the vice. Fear nobody in this fight. Corruption is a sin. Any corrupt person is not only my enemy but the enemy of the state," Dr Magufuli told the new appointee and other leaders who attended the ceremony.

He expressed his regret that Tanzanians were facing shortage of medicines, better roads and other social services due to graft, saying it was high time the country became bribe-free. Dr Magufuli directed all leaders in the country to throw their weight in taming corruption and shield the country against the negative impacts of graft on the economy and social wellbeing.

"If you look at all problems we are facing as a country today, ghost workers, drug dealings, fake certificates, shoddy contracts, fraud in subsidised farm inputs, injustice in courts of law, are because of corruption," he said.

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