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Special Immigration and Land Frameworks for Tanzanian Diaspora Proposed

- Diaspora special status to be granted
- Diaspora Tanzanite Card to be introduced
- Procedure for obtaining Tanzanite Card prescribed
- Restrictions on land ownership for non-citizens to be relaxed
- Special derivative rights to be created

On 26 June 2024, the Attorney General published the Written Law (Miscellaneous Amendments) (No.2) Bill, 2024 (the Bill). The Bill proposes amendments to eight different laws, including the Land Act and the Immigration Act. Specifically, the proposed amendments in the two Acts are meant to create special immigration status and allow holders of such status to engage in various economic and social activities, including occupying land through a special derivative right granted by the Commissioner for Lands.

Regarding Diaspora Special Status (Special Status), the Bill proposes amendments to the Immigration Act to introduce Special Status which will be granted to a Tanzania non-citizen diaspora for the purpose of entry, stay or exit out of Tanzania, and for such other purposes as may be provided by the law. Further, according to the Bill, a Tanzania non-citizen diaspora means a person who was formerly a citizen of Tanzania other than a citizen by naturalisation or whose either parent, grandparent or such other descendant is or was a citizen of Tanzania.

Further to the above, the Bill provides that a person who intends to be granted Special Status should apply to the Commissioner General of Immigration (CGI) in the manner to be prescribed in the regulations. For purposes of the above application, an applicant should be a Tanzania non-citizen diaspora who observes national ethos, traditions, customs and cultural values; should not be a fugitive offender or has not been convicted of an offence of or related to money laundering, economic and organized crimes or other transnational crimes; should be holding a valid passport or travel document; is of good moral and turpitude; and complies with such other requirements as may be prescribed in the regulations. Upon being satisfied with the fulfillment of the requirements, the CGI may grant Special Status and issue a Diaspora Tanzanite Card to the applicant, whose validity is 10 years and the same may be renewed. Also, it is proposed that dependant pass may be issued to the dependants of the holder of the Special Status that will ease entry and exit in Tanzania.

In so far as the land ownership is concerned, the Bill proposes amendments to the Land Act to introduce special derivative rights which will be granted to holders of special status (whether individually or through a company whose majority shareholders are persons who are holders of special status) who have been issued with Diaspora Tanzanite Cards under the Immigration Act. The proposed amendment will enable a diaspora with special status to own or dispose land acquired through any means including inheritance or sale. The special derivative right will serve as a right of occupancy issued under special terms and conditions.

It is worth noting that the Land Act now allows ownership of land by individuals who are citizens of Tanzania or companies whose majority shareholders are Tanzanians. In that regard, if the proposed amendments are passed by the Parliament, it will imply that the restrictions on land ownership by non-citizens will be eased. If the Bill passes the Parliament, it is to be seen how stringent the regulations are to attract back Tanzanians in the diaspora.

To read a copy of the Bill, [click here](#)

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