

Tanzania Corruption Legislation

Specific legislation:

- **Prevention of Corruption Act, No. 16 of 1971;**
- **Prevention of Corruption (Amendment) Act, No. 20 of 1990**

Supporting legislation:

The Public Procurement Act, Act 21 of 2004

The Act established the Public Procurement of the Regulatory Authority. This body is responsible for the “application of fair, competitive, transparent, non-discriminatory and value for money procurement standards and practices.”

The Public Services Act, Act 8 of 2002

The Act establishes the Public Service Commission, whose functions among others are to:

- “facilitate, monitor and evaluate performance by officials in the Service in order to secure results-oriented management;
- call upon all executives in the Service to account for their performance should the Commission be seized with evidence or complaints indicating mismanagement or non performance of mission.”

The Public Finance Act, 2001

Provides for the effective control, management, and regulation of the collection and use of the government’s finances. It also aims to enhance Parliamentary control over the use of public funds and resources.

ETHICAL CODES FOR PUBLIC OFFICIALS

Electoral Laws (Miscellaneous Amendments) Act, No. 4 of 2000

The Act regulates the National Assembly and local government elections.

Public Leadership code of Ethics Act, No. 13 of 1995

The Act establishes a code of conduct for certain public officials. It aims at regulating the acquisition of property by public officials.

Under this law public officials in positions of power are required to declare all properties, assets and liabilities that they own.

Constitution of the United Republic of Tanzania

Section 46A of the Constitution provides that the President shall face impeachment if he/she has committed acts that generally violate the provisions of the Constitution or laws concerning the ethical conduct of public leaders.

Section 67 of the Constitution stipulates that a person shall be disqualified for election as a Member of Parliament if he/she:

- (i) has been convicted and sentenced to a term of imprisonment exceeding six months for an offence involving dishonesty; or
- (ii) within a period of five years before the General Election, has been convicted and sentenced for an offence involving dishonesty or for contravening a law concerning ethics of public leaders.

Judicial Service Act, no. 2 of 2005,

This piece of legislation outlines the ethical codes for judges, judicial officers and magistrates among others. The Act provides for the operational mandate of the Judicial Service Commission, whose functions are outlined in Section 20 of the Act.

PROCEEDS OF CORRUPTION

Proceeds of Crime Act, 1991,

Section 71(3)(b) of the Act deals with the offence of receiving, possessing, concealing, disposing of, bringing into or removing from the United Republic of Tanzania, any money or other property which is the proceeds of crime.
