

The local government system in

Tanzania



Key facts

POPULATION (Census 2002): 34,443,603

AREA: 945,087 sq km

CAPITAL: Dodoma

LOCAL GOVERNMENT CONTRIBUTION TO GDP: -

CURRENCY: Tanzanian shilling (TZS)

HEAD OF STATE AND GOVERNMENT:

President Jakaya Kikwete

FORM OF GOVERNMENT: democratic republic

PARLIAMENTARY SYSTEM: unicameral

STATE STRUCTURE: unitary

LANGUAGES: Swahili (official), English

NATIONAL ELECTIONS: last: 31 October 2010;

turnout: - next: 2015

LOCAL ELECTIONS: last: December 2010;

turnout: - next: 2014

SUMMARY

Tanzania is a democratic unitary republic with a central government and a devolved government of Zanzibar which has autonomy for non-union matters. There is local government in both Tanzania and Zanzibar, totalling 133 local authorities. Article 145 of the constitution gives recognition for local government and is supported by the Local Government (District Authorities) Act 1982 and the Local Government (Urban Authorities) Act 1982. The Ministry for Regional Administration and Local Government is responsible for local government in

mainland Tanzania and is currently within the Prime Minister's Office. On the mainland, there are three types of urban authority: city, municipal and town councils. In rural areas there are two levels of authority: firstly district councils and secondly village council and township authorities. On Zanzibar, urban authorities are either town councils or municipalities, while all rural authorities are district councils. Local government authorities (LGAs) have the ability to levy taxes, fees and charges; however the majority of local authority revenue comes in the form of sector-

specific conditional transfers from central government. Each LGA is responsible in its area of jurisdiction for maintenance and facilitation of peace, order and good government; for the promotion of the social welfare and economic wellbeing of the people; and for the furtherance of social and economic development.

1. CENTRAL GOVERNMENT

Tanzania is a democratic unitary republic with two governments: the Government of the United Republic of Tanzania and the

Table 1. Distribution of councils and population

Region (mkoa)	Number of administrative districts (wilaya)	Local government authorities			Population Census 2002
		Urban	Rural/ district	Total	
Arusha	6	1	6	7	1,288,088
Dar es Salaam	3	4	0	4	2,487,288
Dodoma	6	1	5	6	1,692,025
Iringa	6	2	6	8	1,490,892
Kigoma	3	1	3	4	1,674,047
Kilimanjaro	6	1	6	7	1,376,702
Kagera	7	1	7	8	2,028,157
Lindi	5	1	5	6	787,624
Manyara	5	1	5	6	1,037,605
Mara	5	1	5	6	1,363,397
Mbeya	7	1	7	8	2,063,328
Morogoro	5	1	5	6	1,753,362
Mtwara	5	1	5	6	1,124,481
Mwanza	8	1	6	7	2,929,644
Pwani	6	1	6	7	885,017
Rukwa	3	2	3	5	1,136,354
Ruvuma	4	1	4	5	1,113,715
Shinyanga	7	1	7	8	2,796,630
Singida	3	1	3	4	1,086,748
Tabora	6	1	5	6	1,710,465
Tanga	8	2	7	9	1,636,280
Total mainland	114	26	106	133	33,305,953
North Unguja	2	0	0	0	160,177
South Unguja	2	0	0	0	108,074
Urban West	2	0	0	0	446,720
North Pemba	2	0	0	0	206,200
South Pemba	2	0	0	0	216,479
Total Zanzibar	10	0	0	0	1,137,650
TOTAL	124	26	106	133	34,443,603

Government of Zanzibar, the latter having autonomy for non-union matters. Mainland Tanzania has a unicameral national assembly (the Bunge) of 323 members. Zanzibar has a unicameral House of Representatives with 76 members. Two-hundred-and-thirty-two members of the Bunge are directly elected from single-seat constituencies; five are elected by the Zanzibar House of Representatives; 75 are seats for women, a minimum of 30% of elected members (appointed by the political parties in proportion to their representation in the assembly); one is for the Attorney General (ex-officio); and no more than ten are for presidential nominees.

The president, both head of state and head of government, is directly elected by popular vote after securing a majority and may serve for a maximum of two terms. If the president is from the mainland, the vice president, elected on the same ballot, must come from Zanzibar, and vice versa. The president appoints the prime minister

who serves as the government's leader in the national assembly and must be appointed from the constituency-based members of parliament and the political party with the majority of members in parliament. The president of Zanzibar is a cabinet member.

The Zanzibar House of Representatives has 50 members directly elected by popular vote, and ten female members appointed by the political parties in proportion to their representation in the House. Other members include the Attorney General, five other ex officio members and up to ten presidential nominees. The president of Zanzibar is directly elected and is the head of government for internal Zanzibar matters. The president appoints the chief minister and members of the cabinet from the House of Representatives.

The presidential, the Bunge, House of Representatives and local government elections on the mainland and in Zanzibar are held every five years under the first-past-the-post system with universal adult suffrage at age 18.

2. LEGAL BASIS FOR LOCAL GOVERNMENT

2.1 Constitutional provisions:

The constitution of the United Republic of Tanzania gives recognition to the establishment of local government institutions throughout the country. Article 145 of the constitution stipulates that the parliament will enact a law elaborating the procedure for establishing LGAs as well as spelling out their functions, responsibilities and powers.

2.2 Main legislative texts:

The Local Government (District Authorities) Act 1982 and the Local Government (Urban Authorities) Act 1982 provide for the establishment of rural and urban LGAs as district, township authorities (villages that are assuming an urban character) and village authorities. The Acts were amended in 1999 by the Local Government Laws (Miscellaneous Amendments) Act (No. 9) 1999.

Other important legislation includes the Local Government Finances Act 1982; the Urban Authorities (Rating) Act 1983; the Local Authorities Elections Act 1979 and the Regional Administration Act 1997. The Local Government Services Act (No.10 of 1982) as amended by Act No. 6 of 1999, to provide for decentralised human resource management, has since been repealed by the Public Services Act (No. 8) 2002.

In Zanzibar, the main legislation regarding local government comprises the Zanzibar Municipal Council Act 1995 and the District and Town Councils Act 1995.

3. STRUCTURE OF LOCAL GOVERNMENT

3.1 Local government within the state:

The 21 regions, 133 LGAs and 516 divisions are administrative arrangements which are also charged with maintaining law and order.

3.2 Ministerial oversight:

The Minister for Regional Administration and Local Government is responsible for local government in mainland Tanzania and works within the Prime Minister's Office. The main role of the minister and his department is to formulate broad national policies and to monitor local authorities to ensure that these policies are integrated into locally developed programmes. The department works in collaboration with sector ministries, which also formulate policies relating to local government in their areas: eg education, health, roads, water and agriculture.

3.3 Council types:

In mainland Tanzania there are 26 urban councils (16 municipalities, six towns and four cities), which can be subdivided into 1,795 mtaa (street). The 106 rural district councils

consist of 10,371 registered villages and 57,076 vitongoji (hamlets).

On Zanzibar, urban authorities are either town councils or municipalities, while all rural authorities are district councils.

3.3.1 Council structures: Below the level of local authorities there exists a number of democratic bodies to debate local development needs. In the rural system, the vitongoji (the smallest unit of a village) comprises an elected chairperson who appoints a secretary and three further members, all of whom serve on an advisory committee. In urban areas the mtaa (street – a small urban area or geographical division of a ward), is the smallest unit within an urban authority. The recently established mtaa committees, unlike those of the vitongoji, have a fully elected membership comprising a chairperson, six members and an executive officer. These committees provide a grassroots link to the ward structure, and mobilise participation in local development.

Priorities for local service delivery and development projects are discussed by the committees, before being forwarded to the ward development committee (WDC). In the rural system proposals reach the WDC via the village council. The WDC membership includes the elected ward councillor as chairperson, the ward executive officer (WEO), a salaried official with no voting rights, women councillors, all village chairpersons within the ward and all village executive officers (VEOs). The WDC coordinates development plans and social service plans, supervises project implementation and service delivery activities, and is an intermediary for discussing initiatives from the sub-ward levels and the plans from the principal local authorities.

3.3.2 Mainland Tanzania (rural councils):

District councils coordinate the activities of the township authorities and village councils, which are accountable to the district for all revenues received for day-to-day administration. The village and township councils also have responsibility for formulating plans for their areas, and in most cases for securing district approval. Plans are developed in association with formally established bodies.

District councils and township authorities must have three standing committees: finance, administration and planning; education, health and water; and economic affairs, works and environment. Village councils have three standing committees: finance and planning; social services; and defence and security. Statutory committees for both district and village councils include an HIV/AIDS committee and a council ethics

committee. Local authorities have discretion to establish further committees, although there is a maximum for each type of authority. The role of the committees is to develop policy, set budgets and oversee the work of specific departments.

3.3.3 Mainland Tanzania (urban councils):

There are three types of urban authorities: town, municipal and city council. The chairpersons of the town councils and the mayors of the municipal councils and their deputies are indirectly elected by the other councillors. Urban councils have all the same standing committees as the district councils, and the discretion to establish further ones. Non-elected members may be co-opted onto committees.

4. ELECTIONS

4.1 Recent local elections:

Council elections are held every five years along with those of the president and members of parliament. Elections were last held in October 2005. Of the current representatives 35% are female, some elected and others nominated under the women's special seats arrangement.

4.2 Voting system:

Councillors are elected by the first-past-the-post system and the term of office is five years. The last elections for grassroots leaders, ie village council and sub-village leaders, were held in October 2009 and all 18 registered political parties fielded candidates. The voting was conducted through secret ballot and the turnout was 62%. In order to contest leadership a potential candidate must be a member of, and sponsored by, a political party. To be eligible, the candidate must be a Tanzanian citizen, at least 21 years of age, and able to read and write in Kiswahili (the national language) and/or English. To ensure representation of women in leadership positions at council level, there is a legal requirement to reserve one-third of all seats for women. Voting is a right granted to all persons of 18 years and above.

4.3 Elected representatives:

On mainland Tanzania, chairpersons and mayors are appointed by the elected members of their respective authorities. Village councils are elected by the village assembly, which includes all adults over the age of 18. The urban and district councils comprise members elected from each ward, the MPs representing the constituency within which the urban area is situated, and women members appointed by the National Electoral Commission in proportion to the number of elected positions on the council, including MPs. The number of women appointed to the council

is not less than one-third of the ward representatives and MPs combined.

Dar es Salaam City Council, has an indirectly elected mayor and deputy mayor. Both are elected by an electoral college comprising all councillors of the urban authorities over which the council is established. The deputy mayor must come from a different urban authority from the mayor. The membership of city councils is made up of all the mayors from the urban authorities within their jurisdiction, all MPs representing constituencies within their area, at least two women MPs resident in the city and elected from the women in parliament, and three councillors from each urban council, one of whom must be a woman.

The township authorities comprise the chairperson of the hamlet (vitongoji) within its area, and not more than three members each appointed by the district council. Village councils have between 15 and 25 members, made up of a chairperson elected by the village assembly, all chairpersons of the hamlet (vitongoji) within its area, and other members elected by the village assembly.

4.4 Women's representation:

Legislative affirmative action has done much to ensure women's representation in local government in Tanzania. The prescribed special seats have increased the number of women councillors to 978 across all authorities. Women must occupy not less than one-third of the ward representatives' and MPs' seats and 25% of village council seats.

5. SYSTEMS FOR COMMUNITY INVOLVEMENT

5.1 Legal requirement:

Amendments to the Local Government (District Authorities) Act 1982 provide for councils to organise public hearings for people to question political leaders and staff. Councils are also empowered to establish service boards, open to all citizens in the area, providing an opportunity to influence service provision. Participatory budget-making is encouraged and enabled by bottom-up budgeting through the WDCs and the democratic structures above them. Local authorities are now required to promote and ensure democratic participation.

5.2 Implementation:

Through the participatory planning methodology known as Opportunities and Obstacles to Development (O&OD), communities kick-start the process of planning. During the O&OD process the needs of various social groups, eg young people, women, minority groups, disabled people and those below the poverty line, are

taken into consideration Whenever a council plans to implement a specific project it must organise a public hearing where the benefits of the project and how it will be implemented are explained and the public are encouraged to provide their views.

5.3 E-government:

There is currently no e-government strategy.

6. ORGANISED LOCAL GOVERNMENT

The Association of Local Authorities of Tanzania (ALAT) represents local government on the mainland of Tanzania. It is a voluntary organisation with a membership of 133 urban and district councils. Its function is: to provide a forum for exchanging views and experiences among member LGAs; to provide advocacy on policy and legislative matters likely to affect LGAs, to disseminate information and provide expert advice, to make representations and proposals to government, and to represent LGAs and their views in international forums.

7. INTERGOVERNMENTAL RELATIONS

Intergovernmental relations are formally structured under the amended local government legislation and the Regional Administration Act 1977. The regional secretariats have a pivotal role, facilitating links with the centre and carrying out their enabling function at regional, district and divisional levels. The Regional Administration Act 1977 also established regional and district consultative committees for each region and district. These committees must provide advice to LGAs regarding their development plans and monitor and ensure coordination of the overall economic development of the region. Each committee consists of the regional commissioners and district commissioners of all districts within the region, all chairpersons/mayors of district and urban authorities, all directors of urban and district authorities, and MPs of constituencies within the region. ALAT has a formal role for collective bargaining and dispute resolution in the local government service.

Central government ministries issue guidelines which should be used by LGAs in the implementation of national policies. Decisions made by LGAs should not be at variance with the national policies. At the regional level there are central government offices which serve as extended arms of central government. These 24 regional offices coordinate and provide advice and technical support to support LGAs to discharge their duties to the required standard. The regional offices have a duty to put in place an enabling environment for LGAs to provide

Table 2. Aggregate revenue and expenditure for local authorities 2009/2010

Revenue	TShs.	Expenditure	TShs.
Government transfers	1,802,326,346,663	Administrative and operational costs	1,283,942,443,999
Conditional	1,283,942,443,999		
Unconditional	109,032,112,906	Staff salaries	929,745,347,400
Other transfers	409,351,789,758	Operating expenses	354,197,096,599
Own-source revenues:	117,783,506,345		
Property tax	7,579,584,184	Development	395,445,134,941
Land rent	3,006,531,463		
Produce cess	29,065,235,471		
Service levy	23,737,095,040		
Guest house levy	2,747,314,637		
Business licences	11,408,979,766		
Fees, permits & charges	18,597,821,078		
Other own revenues	21,640,944,706		
TOTAL	1,910,109,853,008		1,679,387,578,940

services and bring about development at the local level.

There is a regional consultative committee in every region chaired by the regional commissioner and drawing members from the districts including council chairpersons, district commissioners, MPs and the chief executives of the councils in the region. The functions of the regional consultative committee, which is established by law, include considering and providing advice to LGAs regarding development plans.

ALAT, whose membership includes an MP from each region, will be involved, whenever there is a policy issue that relates to local government, before a decision is made at cabinet level. This is normally done through workshops and working sessions organised by the ministry responsible for local government and representatives of ALAT are invited. Policy recommendations are sometimes discussed at meetings of the executive committee of ALAT and later at the annual conference where all LGAs are represented.

There are three parliamentary committees which handle issues of direct consequence to LGAs; the legal and administrative committee, the local authorities accounts committee and the parliamentary by-laws committee.

8. MONITORING SYSTEMS

The regional commissioner, appointed by the president, has responsibility for monitoring the legal conduct of councils. The regional consultative committee serves as an advisory committee for LGAs. As part of ongoing public service reforms, under the provisions of the Regional Administration Act 1977 regional administrations were renamed regional secretariats (RSs) and now have a development function to provide enabling support services to local government as part of

decentralisation. This is also the case at the district and divisional levels.

A number of systems are used to monitor the performance of LGAs:

- Preparation and submission of quarterly financial reports
- Annual assessment of LGAs for development fund grants
- The local authorities accounts committee inspects projects that are being implemented by LGAs in their areas of jurisdiction
- Each LGA has an internal audit section which checks on the management of finances, including revenue collection
- The external auditor for LGAs is the National Audit Office
- The Ministry has an Inspectorate Section which goes out to LGAs to probe any financial mismanagement or other governance irregularities
- The Public Procurement Regulatory Authority carries out inspections on the way that the procurement of goods and services has been carried out in LGAs
- The opposition contributes to monitoring LGAs.

9. FINANCE, STAFFING AND RESOURCES

9.1 Locally raised revenue:

LGAs have the ability to levy taxes, fees and charges. The typical taxes levied are direct ones which are difficult to collect.

9.2 Transfers:

The law provides that grants be provided to LGAs in the sectors of education, health, water, roads and agriculture. These sectors are provided with grants for recurrent expenditure which includes

salaries and operating expenses. The charges associated with operating expenses are calculated by formula and the funds for salaries are disbursed by payroll. Conditional transfers form approximately 80% of the total with unconditional transfers making up the remaining 20%.

9.3 Local authority staff:

Elected representatives are not paid salaries but rather monthly responsibility allowances, the rates of which are set by the minister responsible for local government.

The head of the paid service is the district executive director in the district authorities and the town/municipal/city director in urban authorities. Typically, below the director there are a number of heads of department, usually including personnel and administration, planning and finance, engineering or works, education and culture, trade and economic affairs, urban planning, health and social welfare, cooperatives, agriculture and livestock development, and community development. City council directors are appointed by the president, while directors of town, municipal and district councils are appointed by the Minister for Regional Administration and Local Government. LGAs appoint heads of department and other personnel.

10. DISTRIBUTION OF SERVICE DELIVERY RESPONSIBILITY

Each LGA is responsible in its area of jurisdiction for the maintenance and facilitation of peace, order and good government; for the promotion of the social welfare and economic wellbeing of the people; and for the furtherance of social and economic development.

LGAs are allowed to cooperate with other organisations and agencies in providing the following services: suppression of crime, maintenance of peace and good order and protection of lawfully acquired public and private property; control and improvement of agriculture, trade, commerce and industry; the furtherance and enhancement of health, education and social, cultural and recreational life; the relief of poverty and distress as well as assistance and amelioration of life for the young, the aged and the disabled or infirm; and the development, mobilisation and application of productive forces to the war against poverty, disease and ignorance.

The basic functions of district and urban authorities, within their jurisdictions, are to maintain law, order and good governance, to promote the economic and social welfare of the people and to ensure effective and equitable delivery of services to all. Additionally they must formulate, coordinate and supervise the

implementation of plans for economic, social and industrial development in their areas, monitor and control the performance of the council and its staff, collect and ensure the proper use of council revenues, make by-laws, and (in district LGAs) approve by-laws made by village councils. District councils also regulate and coordinate the development plans, projects and programmes of villages and township authorities within their areas.

References and useful websites

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3. IMF statistics www.imf.org/external/data.htm
3. Ministry is www.pmoralg.go.tz
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<http://hdr.undp.org>
5. CLGF ministerial questionnaire www.clgf.org.uk
6. Universal periodic review www.upr-info.org/-Tanzania-.html
7. Association of Local Authorities Tanzania
www.alattz.org

Annex A. Summary of service provision in different spheres of government

Service	Delivering authority			Remarks
	Central	Local Government		
		Rural	Urban	
GENERAL ADMINISTRATION				
Police	■	■	■	
Fire protection		■		
Civil protection	■			
Criminal justice	■			
Civil justice	■			
Civil status register		■	■	
Statistical office	■			
Electoral register	■			
EDUCATION				
Pre-school				
Primary		■	■	
Secondary	■	■	■	
Vocational and technical	■			
Higher education	■			
Adult education	■		■	
SOCIAL WELFARE				
Kindergarten and nursery		■	■	
Family welfare services		■	■	
Welfare homes		■	■	
Social security		■	■	
PUBLIC HEALTH				
Primary care		■	■	
Hospitals	■	■	■	
Health Protection	■	■	■	
HOUSING AND TOWN PLANNING				
Housing		■	■	
Town planning		■	■	
Agriculture Land planning	■			
TRANSPORT				
Roads	■	■	■	
Transport	■	■	■	
Urban roads		■	■	
Urban Public Transport			■	
Ports	■	■	■	
Airports	■	■	■	
ENVIRONMENT AND PUBLIC SANITATION				
Water and sanitation		■	■	
Refuse collection and disposal		■	■	
Cemeteries and crematoria		■	■	
Slaughterhouses		■	■	
Environmental protection		■	■	
Consumer protection		■	■	
CULTURE, LEISURE AND SPORTS				
Theatre and concerts		■	■	
Museums and libraries		■	■	
Parks and open spaces		■	■	
Sports and leisure		■	■	
Other cultural facilities			■	
UTILITIES				
Gas services			■	
District heating			■	
Water supply		■	■	
Electricity	■		■	
ECONOMIC				
Agriculture, forests and fisheries	■	■	■	
Economic promotion	■	■	■	
Trade and industry	■	■	■	
Tourism	■	■	■	
Other economic services	■	■	■	