



# The local government system in Tanzania



## 1 INTRODUCTION

The United Republic of Tanzania (URT) consists of mainland Tanzania and Zanzibar, which comprises the main island Unguja, together with Pemba and other small islands. It has a population of 37,445,392, and a total area of 945,090 sq km including the islands' 1,651 sq km.

The URT is a unitary state, with two governments: the Government of United Republic of Tanzania, and the 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.

Of the members of the National Assembly, some 232 are directly elected from single-seat constituencies; five are elected by the Zanzibar House of Representatives; 75 are seats for women, being a minimum of 30 per cent 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 10 are for

presidential nominees. The president, both head of state and head of government, is directly elected by popular vote and must secure majority of votes. 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 from constituency based members of parliament elected from a political party with the majority 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 10 women members appointed by the political parties in proportion to their representation in the House. Other members include the Attorney General, five *ex officio* members and up to ten presidential nominees.

The president of Zanzibar is directly elected and is 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, House of Assembly, 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. The presidents may serve for a maximum of two terms.

Administratively Tanzania is divided into 26 regions, 21 on the mainland and five in Zanzibar. Regions are divided into districts which are further subdivided into divisions. The capital is Dar es Salaam.

In mainland Tanzania there are 25 urban councils and 97 district councils, three township and 10,075 registered village councils.

The contribution of local government of mainland Tanzania to the GDP of the mainland was about three per cent in 2002.

## 2 POLITICAL AND ORGANISATIONAL STRUCTURE OF TANZANIA

The most recent Union-wide election was in December 2005. Mr Jakaya Kikwete of the Chama Cha Mapinduzi (CCM) party was elected president. The parliamentary and Zanzibar elections were held in October 2005. CCM won 206 of the 232 popularly elected constituency seats (75 are allocated to woman elected by political parties on the basis of

proportional representation amongst political parties represented in parliament and five to members of the Zanzibar House of Representatives) in the National Assembly. The remaining seats were shared among the Civic United Front (CUF), United Democratic Party, Chama cha Demokrasia na Maendeleo and the Tanzania Labour Party.

The most recent Zanzibar elections were also held in October 2005. Amani Abeid Karume, the CCM candidate, was re-elected president. The CCM won 30 of the 50 seats in the House of Representatives. The remaining seats were won by CUF.<sup>1</sup>

Local government was abolished in the early 1970s in Tanzania and replaced by direct central government rule based on decentralisation by deconcentration popularly known as 'Madaraka Mikoani' (Powers to the Regions). A number of failures in the direct administration system, including the outbreak of cholera in urban areas in 1976, led to the recommendation of re-establishing urban councils. In 1978 rural authorities were re-established with legislation being put in place in 1982, elections taking place in 1983 and the establishment of functioning councils in 1984.

Since 1997 there has been major public-sector reform, including a local government reform programme (LGRP) which covers four areas:

- Political decentralisation creating multi-functional local governments
- Financial decentralisation allowing local authorities to determine budgetary priorities to meet local circumstances, and to attain national standards
- Administrative decentralisation enabling local authorities to establish a local payroll, de-linking local authority staff from line ministries
- Changed central-local relations with the mainland government having overriding powers within the framework of the constitution; line ministries have become policy-making, capacity-building, monitoring, quality assurance and regulating bodies.

Local governments will implement these reforms once they demonstrate the ability and will to do so, with central support provided as required and further support to enable them to meet the agreed criteria for fiscal decentralisation. The time frame for full implementation extends to 2011, but with diminishing Prime Ministers' Office – Regional Administration and Local Governments (PMO-RALG) support from 2005. Zanzibar is currently developing a

programme for local government reform with UN assistance.

### 2.1 Position of local government in Tanzania

The Minister for Regional Administration and Local Government is responsible for local government in mainland Tanzania. Currently the ministry is under the Prime Minister's Office, Regional Administration and Local Government. Its main role is to formulate broad national policies and monitor local authorities to ensure that these policies are integrated in locally developed programmes in collaboration with sector ministries, which also formulate policies in their areas (e.g. education, health, roads, water and agriculture) that impact on local government.

The 21 regions, 114 administrative districts and 512 divisions are administrative arrangements which are also charged with maintaining law and order, representing government at their respective levels. The executive functions of government within a region are exercised by or through a regional commissioner (RC) supported by a regional administrative secretary (RAS), both appointed by the president. The district commissioner (DC), also appointed by the president, assists the RC at the district level and is supported by a district administrative secretary (DAS). The divisional secretary is the lowest level in the central government chain. The RC has responsibility for monitoring the legal conduct of councils. The Regional Consultative Committee serves as an advisory committee for local government authorities.

As part of the 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 also operates at the district and divisional levels.

## 3 LEGAL BASIS FOR LOCAL GOVERNMENT

### 3.1 Constitutional provisions

Local government is a non-Union matter but is enshrined in the Union constitution and that for the mainland and Zanzibar.

In mainland Tanzania, in the Constitution of the United Republic 1977, Articles 145 and 146 state that the National Assembly or the House of Representatives must provide for local government through legislation. Article 146 states that one of the objectives of local government is 'to enhance the democratic process within its area of jurisdiction and to apply the democracy for facilitating the expeditious and faster development of the people'.

The relevant part of the Constitution of Zanzibar 1984 is Article 128.

### 3.2 Main legislative texts

The main legislation governing local government in mainland Tanzania is:

- Local Government (District Authorities) Act, No.7 1982
- Local Government (Urban Authorities) Act, No.8 1982
- Local Government Finance Act, No.9 1982
- Urban Authorities (Rating) Act, No.2 1983
- Regional Administration Act, No.19 1997

The principal local government acts were amended in 1999 by the Local Government Laws (Miscellaneous Amendments) Act, No.9 1999 as part of implementation of the Government Policy of Decentralisation by Devolution. The Local Government Services Act, No.10 of 1982 as amended by Act No.6 of 1999 to provide for a decentralised human resource management has since been repealed by the Public Services Act No.8 of 2002.

In Zanzibar, the main legislation regarding local government is:

- Zanzibar Municipal Council Act 1995
- District and Town Councils Act 1995.

Following promulgation of the 1984 Constitution the enabling Acts of 1995 are the latest in a series of enactments since 1986.

## 4 LOCAL GOVERNMENT ORGANISATIONAL STRUCTURE

### 4.1 Main divisions

Local government on both the mainland and Zanzibar is divided into rural and urban authorities.

Table 1. Number of authorities by sector

	Urban		Rural	
Mainland Tanzania <sup>2</sup>	Cities	5	Districts	97
	Municipalities	22	Townships	3
	Towns	6	Registered villages	10,313
<b>Total</b>		<b>33</b>		<b>10,413</b>

On the mainland urban authorities comprise 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 town councils and municipalities, while rural authorities are district councils.

On the mainland the district and urban councils have autonomy in their geographic areas. 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 securing district approval. Such plans are developed in association with formally established bodies.

## 5 DEMOCRATIC AND POLITICAL STRUCTURES IN LOCAL GOVERNMENT

### 5.1 Council structures

Councillors are elected across the URT by the

first-past-the-post system. On mainland Tanzania, chairpersons and mayors are indirectly elected by the elected members of their respective authorities. Village councils are elected by the village assembly comprising 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, women members appointed by the National Electoral Commission from the proposals submitted by the political parties in proportion to the number of elected positions held on the council (including MPs). The number of women appointed to the council is 'not less than one-third of' ward representatives and the MPs combined.

Dar es Salaam City Council, established above the regular urban councils, 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 comprises 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 vitongoji with its area, not more than three members appointed by the district council, and women appointed according to political proportionality to make up at least one-third of the authority.

Village councils have between 15 and 25 members, made up of a chairperson elected by the village assembly, all chairpersons of the vitongoji within its area, and other members elected by the village assembly. Women must account for 25 per cent of the council members. Legislative affirmative action has done much to ensure women's representation in local government. The legislated special seats have augmented the number of women councillors to 916. One-fifth, 20 per cent, of council directors are women.

The term of office for all councillors is five years.

### 5.2 Community structures

Below the level of the local authorities there are a number of democratic bodies to debate local development needs. In the rural system the vitongoji, the smallest unit of a village, is composed of an elected chairperson who appoints a secretary and three further members all of whom serve on an advisory committee. In urban areas the mtaa (a small urban area or geographical division of a ward), is the smallest unit within the ward of 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 brought to the committees for discussion, 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
- All village executive officers (VEOs).

**Table 2. Distribution of local authorities**

Region	No. of administrative districts	Local government authorities			Population
		Urban	Rural/ District	Total	
Dodoma	5	1	4	5	1,698,996
Arusha	5	1	4	5	1,292,973
Kilimanjaro	6	1	5	6	1,381,149
Tanga	6	1	5	6	1,642,015
Morogoro	6	1	4	5	1,759,809
Pwani	6	0	5	5	889,154
Dar es Salaam	3	4	0	4	2,497,940
Lindi	6	1	5	6	791,306
Mtwara	5	1	3	4	1,128,523
Ruvuma	5	1	4	5	1,117,166
Iringa	7	1	6	7	1,495,333
Mbeya	8	1	7	8	2,070,046
Singida	4	1	3	4	1,090,758
Tabora	6	1	5	6	1,717,908
Rukwa	4	1	3	4	1,141,743
Kigoma	4	1	3	4	1,679,109
Shinyanga	7	1	6	7	2,805,580
Kagera	6	1	5	6	2,033,888
Mwanza	8	1	6	7	2,942,148
Mara	5	1	4	5	1,368,602
Manyara	5	0	5	5	1,040,461
<b>Total mainland</b>	<b>119</b>	<b>22</b>	<b>92</b>	<b>114</b>	<b>33,584,607</b>
North Unguja	2				137,953
South Unguja	2				94,504
Urban West	2				391,002
North Pemba	2				186,013
South Pemba	2				176,153
<b>Total Zanzibar</b>	<b>10</b>				<b>984,625</b>
<b>Total Tanzania</b>	<b>129</b>				<b>34,569,232</b>

Source: URT 2002 Population and Housing Census

The WDC coordinates development plans and social service plans, supervises project implementation and service delivery activities and is an interface in discussing initiatives from the sub-ward levels and the plans from the principal local authorities.

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 the bottom-up budgeting through the ward development committees and the democratic structures above them. Local authorities are now required to promote and ensure democratic participation.

### 5.3 Mainland Tanzania: rural councils

The district councils and township authorities must have three standing committees, and other statutory committees:

Standing committees provided under LG(DA) Act No.7 1982:

- Finance, administration and planning
- Education, health and water
- Economic affairs, works and environment.

Village councils have three standing committees, and other statutory committees:

- Finance and planning
- Social services
- Defence and security.

Statutory committees for both include:

- HIV/AIDS
- Council ethics committee

The HIV/AIDS committees are new, created to ensure that the AIDS agenda is not lost in local government activity.

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.

### 5.4 Mainland Tanzania: urban councils

There are three types of urban authorities: town, municipal and city councils. 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.

### 5.5 Local government staffing

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, which usually include: personnel and administration, planning and finance, engineering or works, education and culture, trade and economic affairs, urban planning, health and social welfare, cooperative, agriculture and livestock development, and community development. Legislation now requires the establishment of a council tender board.

Central government appoints chief officers through the process of open bidding. City council directors are appointed by the president, while directors of town, municipal and district councils are appointed by the minister. Local government authorities appoint heads of department and other personnel.

The responsibility for recruiting and dismissing senior officers is being devolved to local governments that are currently undergoing reform.

### 5.6 Independent scrutiny

The Controller and Auditor General is responsible for external audit of local government accounts, under the Controller and Auditor General Act.

## 6 DISTRIBUTION OF SERVICE DELIVERY COMPETENCE

### 6.1 Mainland Tanzania

The basic functions of district and urban authorities are:

- Maintenance of law, order and good governance
- Promotion of the economic and social welfare of the people within their jurisdiction
- Ensuring effective and equitable delivery of services to people in their areas.

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

- In district councils, regulate and coordinate development plans, projects and programmes of villages and township authorities within their areas.

## 7 FINANCE

### 7.1 Revenue

The aggregate revenue for local government on mainland Tanzania in 2001/2002 was Tshs 251.8bn (US\$282m).<sup>3</sup>

Local authorities' income comes from government allocations and locally raised revenues. Central government allocations account for 72 per cent of the local authority budget.

Local authorities levy a limited number of taxes, fees and charges. Councils are supposed to charge only in areas where they provide services. However, the government recently abolished the development levy and councils have been instructed to abolish those taxes which are of little benefit and which create problems in their collection. In Dodoma Municipal Council, for instance, 11 sources of income including the development levy have been abolished in the current financial year.

The main sources of local income are from:

- Fees, including taxi registration, bus stands, forestry products, valuation, scaffolding, inoculation and ambulances
- Licences, including road and liquor
- Property taxes and rents
- Charges, including those for refuse collection, cess, hire of vehicles, markets
- Fines
- Others, including sale of assets and recovery of public funds.

In district councils tax collection is organised on two levels, council and village, and in urban councils at the council and ward levels. At the sub-village level the vitongoji leader assists.

There is limited central supervision of locally raised revenue. Through the by-law system local authorities may introduce new taxes or rate changes, subject to ministerial approval.

### 7.2 Revenue-sharing Mainland Tanzania

Government is looking at replacing the current system of allocating central funds to local authorities with a system of formula-based grants (where the level of grant to each LGA is demand-driven). In the medium-term grants would be sector-based, but over time councils will be given increased discretion in allocating resources between sectors through an unconditional grant component.

Currently, central allocations (government's own resources and donor-sector basket funding) are the most significant sources of revenue for LGAs. These may be conditional or unconditional as specified in the Local Government Finance Act. Conditional allocations are made for education, health, water, roads and agricultural services, the priority sectors which are being decentralised under the LGRP. There is a further conditional allocation for local government administration: education accounts for some 70% of allocations, health 18%, administration 6%, and water, roads and agriculture together 6%. Unconditional allocations are applied to natural resource management, trade, cooperatives, lands and community development. They also support capacity-building initiatives.

The 1982 Act also provides for authorities with a poor resource base to be assisted by an equalisation grant, but this has not been implemented.

Central government pays a proportion of local government salaries.

### 7.3 Expenditure

The aggregate expenditure of local government in 2001/2002 was about TShs251.8bn (US\$282m). No breakdown of this expenditure is available.

In mainland Tanzania legislation requires every council to set aside a percentage of its revenue to fund development project activities initiated by women and youth.

## 8 ASSOCIATIONS OF 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 114 urban and district councils. Its function is to:

- Provide a forum for exchanging views and experiences among member LGAs
- Provide advocacy on policy and legislative matters likely to affect LGAs
- Disseminate information and provide expert advice
- Make representation and proposals to government
- Represent LGAs and their views in international forums.

Its main funding comes from membership subscriptions. ALAT is affiliated to CLGF, UCLG and AULA.

## 9 INTERGOVERNMENTAL RELATIONS

### 9.1 Mainland Tanzania

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 1997 Act also established regional consultative committees for each region. This committee 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 RC, DCs 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.

## 10 E-GOVERNMENT

ICT has an important role in the reform programmes. The Ministry of Communication and Transport is developing a national ICT policy. The latest draft (December 2002) proposes the creation of a National ICT Council (NICTCO) with responsibility for the preparation of a five-year strategic plan. Key issues are infrastructure development and capacity-building. It also considers there is an urgent need for the development of a comprehensive and holistic e-government strategy to enable government, as a model user, to sustain progress in the national ICT arena. This is being supported by eThinkTank, a network for ICT professionals and other stakeholders from the public- and private-sectors with an interest in the information society in Tanzania.

The national and government website was launched officially in December 2001, and also gives access to the Zanzibar government site. A new intranet is being constructed linking all ministries, and there are plans to link government offices at regional and district levels. The National Assembly maintains an independent website, and there are development plans for databases covering legislation, parliamentary proceedings and MP profiles. At this stage sites focus on information provision, using English and Kiswahili. Preparatory work has been undertaken in needs assessment and other projects relating to training for local e-governance.

There were an estimated 333,000 internet users in Tanzania in 2005, or less than one per cent of the population.<sup>4</sup>

## 11 ENVISAGED REFORMS

### 11.1 Mainland Tanzania

Alongside the Local Government Reform Programme which continues and is projected to continue to 2011, there is the Public Service Reform Programme, the Financial Reform Programme and the Law Reform Programme.

### 11.2 Zanzibar

Zanzibar is developing a programme for local government reform to address unclear and inconsistent institutional arrangements between local authorities and the centre, the imbalance between functions and resources assigned to councils, and democratic and accountability issues at the local level. This reform will be implemented within the context of the Zanzibar Poverty Reduction Programme (ZPRP) and the Zanzibar Development Vision 2020.

## 12 SUMMARY

Mainland Tanzania has embarked on a comprehensive reform programme for the public-sector, in which local councils have a key role. The ongoing reform aims to promote democratic, accountable and autonomous local government authorities, with wide discretionary powers and a strong financial base to be implemented by 2011. The reform supports an enhanced participatory planning framework, to ensure that locally expressed needs are integrated into local government decisions.

Zanzibar is also embarking on a programme for local government reform.

### References

- 1 CIA World Factbook 2005
- 2 Draft Association of Local Authorities of Tanzania Document, p.45. Note that 88 villages are soon to be declared township authorities
- 3 FT Guide to World Currencies, 24 September 2001, TShs893 = US\$1
- 4 CIA World Factbook 2006.

- [www.tanzania.go.tz](http://www.tanzania.go.tz)
- [www.parliament.go.tz](http://www.parliament.go.tz)

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