

THE UNITED REPUBLIC OF TANZANIA

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**SUBSIDIARY LEGISLATION**

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THE LAWS REVISION ACT,  
(CAP. 4)

**PROCLAMATION**

*(Made under section 12)*

THE LAWS REVISION (DATE OF COMING INTO FORCE OF THE REVISED EDITION,  
2023) PROCLAMATION, 2025

In exercise of the powers conferred upon the President by section 12 of the Laws Revision Act, I **SAMIA SULUHU HASSAN**, the President of the United Republic of Tanzania do hereby approve the Revised Edition, 2023 of the Principal Legislation, and proclaim that, it shall come into force on the 1<sup>st</sup> day of July, 2025.

GIVEN under my hand and sealed with the Public Seal this 23<sup>rd</sup> day of April, 2025.

State House  
Dodoma

SAMIA SULUHU HASSAN,  
*President*

## CHAPTER 398

# THE PUBLIC LEADERSHIP CODE OF ETHICS ACT

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## CHAPTER 398

### THE PUBLIC LEADERSHIP CODE OF ETHICS ACT

An Act to establish code of ethics for certain public leaders, to provide for the organisation of the Ethics Secretariat and for related matters with or incidental to them.

[1<sup>st</sup> July, 1995]

[s. 2]

Acts Nos.  
13 of 1995  
5 of 2001  
4 of 2016  
7 of 2022

GN. Nos.  
209 of 2005  
260 of 2013  
336 of 2021

#### PART I

#### PRELIMINARY PROVISIONS

Short title      **1.** This Act may be cited as the Public Leadership Code of Ethics Act.

Omitted      **2.** [Omitted]

Application      **3.** This Act shall apply to Mainland Tanzania as well as to Tanzania Zanzibar in respect of public officers holding offices under the Union Government.

Interpretation  
Acts Nos.  
5 of 2001 s. 2  
4 of 2016 s. 61      **4.**—(1) In this Act, unless the context requires otherwise—  
“child” means a biological, adopted or dependant child of a public leader who is below the age of eighteen years and is not married;

“Code” means the Code of Ethics for Public Leaders established by this Act;

“Commissioner” means the Ethics Commissioner appointed under section 22;

“conflict of interest” means the situation where a public leader through his position in office or service, obtains

or expects to obtain any interest or benefit, financial or otherwise, direct or indirect for himself or for some other person for whom he has a fiduciary relationship;

“Government” means the Union Government or the Revolutionary Government of Zanzibar;

“Minister” means the Minister responsible for public leadership code of ethics;

“public leader” means any person holding any of the public office as specified in the Schedule;

“Tribunal” means the Ethics Tribunal appointed under section 29.

## PART II

### BASIC ELEMENTS OF CODE OF ETHICS

President to work for promotion of integrity in public office etc.

5.-(1) It shall be the duty of the President, subject to this Act, to work towards the evolution of ethical standards designed to provide a basis for enhancing public confidence in the integrity of public leaders and in the decision making process in the Government and in the public sector in general.

(2) In discharging the duty imposed on him by this section, the President shall be guided, subject to this Act, by the need to evolve, and to foster, sound rules and ethical standards in the public service by-

- (a) providing that a public leader shall not put himself in a position where his personal interest conflicts with his responsibility as a leader;
- (b) encouraging experienced and competent persons to seek and accept public office, and facilitating interchange between the private and the public sector;
- (c) establishing clear rules of ethics in respect of conflict of interest for, and post-employment practices applicable to elected and appointed public leaders;
- (d) minimising the possibility of conflicts arising between the private interests and public duties of public leaders

and providing for the resolution of such conflicts in the public interests should they arise.

Principles to be  
invoked by Code  
Act No.  
4 of 2016 s. 62

**6.-(1)** The Code of Ethics for public leaders shall seek as far as possible to institute and invoke the following principles in respect of the conduct of public leaders:

- (a) in relation to ethical standards, that public leaders shall while in office, act with honesty, compassion, sobriety, continence and temperance, and uphold the highest possible ethical standards so that public confidence and trust in the integrity, objectivity and impartiality of Government are conserved and enhanced;
- (b) in relation to public scrutiny, that public leaders shall have an obligation-
  - (i) to perform their official duties and arrange their private affairs in a manner that would bear the closest public scrutiny, an obligation that is not fully discharged by simply acting lawfully;
  - (ii) in relation to all public leaders whether in elective or appointive offices, there is to be established a procedure for declaration of all property or assets owned by, or liabilities owed to him, his spouse or child, without prejudice to the right of wives and husbands of public leaders to own property independently of their spouses;
- (c) in relation to decision making, that public leaders shall, in fulfilling their official duties and responsibilities make decisions in accordance with law, in the public interest and with regard to the merits of each case;
- (d) in relation to private interest, that public leaders shall not have private interests, other than those permitted by the Code that would be affected particularly or significantly by Government actions in which they participate;
- (e) in relation to public interest, that on appointment or election to office and thereafter, the public leader shall

- arrange his affairs in a manner that would not occasion real, potential or apparent conflict of interest;
- (f) in relation to execution of duties, the public leader shall not, whether directly or indirectly, act or make decision in furtherance of his private interest or interest of the member of his family or any other person for whom he has a fiduciary relationship;
  - (g) in relation to gifts and benefits, that public leaders shall not solicit or accept transfers of economic benefit other than incidental gifts, customary hospitality or other benefits of nominal value, unless the transfer is pursuant to an enforceable contract or property right of the public leader;
  - (h) in relation to preferential treatment, that public leaders shall not step out of their official roles to assist private entities or persons in their dealing with the Government where this would result in preferential treatment to any person;
  - (i) in relation to inside information, that public leaders shall not knowingly take advantage of, or benefit from information which is obtained in the course of their official duties and responsibilities and that is not generally available to the public;
  - (j) in relation to Government property that public leaders shall not directly or indirectly use, or allow the use of, Government property of any kind, including property leased to the Government, for purposes of according economic benefit to the leader;
  - (k) in relation to post employment that:
    - (i) a public leader shall, within six months after the termination of his service, not seek or engage in any private employment that he was associated with when he was a public leader or when he had a supervisory role in the post of public leader, and for which he had direct management of;
    - (ii) a public leader shall not act, after he leaves a public office, in such a manner as to bring the

service to ridicule or take improper advantage of his previous office, so that the possibilities may be minimised by:

- (aa) allowing prospects of outside employment to create a real, potential or apparent conflict of interest for public leaders while in a public office;
- (bb) obtaining preferential treatment or privileged access to Government after leaving a public office;
- (cc) taking personal advantage of information obtained in the course of official duties and responsibilities until it becomes generally available to the public; and
- (dd) using a public office to unfair advantages in obtaining opportunities outside employment.

(2) A public leader who refuses, makes false declaration or fails to comply with the requirements under subsection (1) breaches the code of ethics for public leaders and is liable to the actions specified under section 8.

Declaration of standards as to ethics

7.-(1) The President may, by Notice published in the *Gazette*, declare requirements and rules regarding ethical standards that are to be complied with by public leaders.

(2) A Notice under this section shall not come into operation until it is approved by resolution of the National Assembly.

### PART III

#### CODE OF ETHICS APPLICABLE TO ALL PUBLIC LEADERS

Relationship between this Part and purpose of the Constitution Act No. 5 of 2001 s. 3

8. The provisions of this Part shall constitute part of the Code of Ethics for Public Leaders according to the Constitution and breach of the code shall result in any of the following actions:

- (a) warning and caution;
- (b) demotion;
- (c) suspension;

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- (d) dismissal;
- (e) advising the leader to resign from the office to which the breach relates;
- (f) imposition of other penalties provided for under the rules of discipline related to the office of the leader; and
- (g) initiating action for the leader to be dealt with under the appropriate law.

Declaration  
of assets and  
liabilities  
Acts Nos.  
5 of 2001 s. 4  
4 of 2016 s. 63  
7 of 2022 s. 18  
GN. No.  
336 of 2021  
Cap. 2

**9.-(1)** A public leader shall, except where the Constitution or any other written law provides otherwise-

- (a) within thirty days after taking office;
- (b) at the end of each calendar year; and
- (c) at the end of his term of office,

submit to the Commissioner a written declaration, in a prescribed form, of all property or assets owned by, or liabilities owed to him, his spouse or child.

Provided that, where the declaration of assets is made by the Commissioner under this section, the declaration shall be submitted to the President.

(2) A property or asset acquired by a public leader after the initial declaration required by paragraph (a) of subsection (1) and which is not attributable to income, gift, or loan approved in the Code shall be deemed to have been acquired in breach of the Code unless the contrary is proved.

(3) A public leader who has previously made a declaration of assets under this section shall, during the subsequent declaration be required to declare as to the increase or decrease of assets.

(4) A public leader shall, in making the declaration of assets under this section:

- (a) state the monetary value of the declared assets and the source or the manner in which he has acquired the assets;
- (b) state or disclose his debts if any and any other liabilities.

Repealed

**10.** [Repealed by Act No. 7 of 2022 s. 19.]

Declarable assets  
Acts Nos.  
4 of 2016 s. 64  
7 of 2022 s. 20

**11.**–(1) A public leader shall make a declaration of assets that are not non-declarable assets in order for him to be able to deal with them without giving rise to a conflict of interest.

(2) Declarable assets shall include-

- (a) residencies, recreational property;
- (b) work of art, antiques and collectibles;
- (c) motor vehicles and other personal means of transportation;
- (d) cash and deposits in a bank or other financial institution;
- (e) Treasury Bills and other similar investments in securities of fixed value issued or guaranteed by the Government or agencies of the Government;
- (f) interest on money deposited in a bank, building society or other financial institution;
- (g) dividends or other profits from stocks or shares held by a public leader in any company or other body corporate;
- (h) interests in businesses that do not contract with the Government, and do not own or control publicly traded securities, other than incidentally, and whose stocks and shares are not traded publicly;
- (i) farms under commercial or non commercial operation;
- (j) real property which is not non-declarable asset; and
- (k) assets that are beneficially owned, which are not non-declarable assets and which are administered at arm's length.

Public leader  
not to acquire  
dishonestly  
any pecuniary  
advantage  
Acts Nos.  
5 of 2001 s. 5  
4 of 2016 s. 65

**12.**–(1) A public leader shall be considered to have breached the Code if he knowingly acquires any significant pecuniary advantage, or assists in the acquisition of any pecuniary advantage by any other person, by-

- (a) improperly using or benefiting from information which is obtained in the course of his official duties and which is not generally available to the public;
- (b) disclosing any official information to unauthorised persons;
- (c) promotion, disciplining or removal of a public officer;

- (d) directly or indirectly converting Government property for personal or any other unauthorised use, for the purposes of reaping private economic benefit; or
- (e) soliciting or accepting transfers of economic benefit, other than-
  - (i) benefits of nominal value, including customary hospitality and traditional or token gifts;
  - (ii) gifts from close family members or from public leaders elsewhere; or
  - (iii) transfers pursuant to an enforceable property right of the public leader or pursuant to a contract for which full value is given.
- (2) A public leader shall, where he receives a gift of the value exceeding two hundred thousand shillings-
  - (a) declare the received gift and its value; and
  - (b) submit the declaration of the gift to the accounting officer of the office concerned, who shall in writing direct as to the use or disposal of the gift.
- (3) An accounting officer who receives a declaration in terms of subsection (2) (b) shall report the declaration and disposal of the gifts to the Commissioner.

Public leader  
to disclose  
pecuniary interest  
to forum  
Act No.  
4 of 2016 s. 66

**13.**—(1) A public leader shall not speak in the Cabinet, National Assembly, Local Government Council or its Committee, official forum or part of it as the case may be, in any matter in which he has a direct pecuniary interest unless-

- (a) he has disclosed the nature of that interest to the Cabinet, the National Assembly, the Local Government Council or Committee or such other forum or part of it; and
- (b) the direct pecuniary interest for which the public leader has disclosed under paragraph (a) serves or safeguards public interest.

(2) For the purposes of this section, the separately owned assets of the spouse or child of a public leader shall be deemed to constitute an interest for disclosure by him.

Restriction of  
public leaders  
to enter into  
contracts  
Act No.  
4 of 2016 s. 67

**14.** A public leader shall not, whether by himself, or through a family member or any company or association to which he is affiliated, enter into or take part in any contract with the Government or entity of the Government thereof unless the Government or entity for which the contract is being entered into is not under the direct management of that leader.

[s. 13A]

Declaration  
of interest in  
Government  
contract  
Act No.  
4 of 2016 s. 68

**15.**—(1) Where a public leader has an interest in a contract that is made, or is proposed to be made, by the Government, and has not made a sufficient declaration under subsection (4) in relation to the contract, the public leader shall as soon as practicable, make a declaration of his interest in relation to the contract, specifying the nature and extent of his interest.

(2) Where-

- (a) immediately before the commencement of this Act, a public leader has an interest in a contract that has been made by the Government; and
- (b) the contract is not completely performed by all parties within thirty days after the commencement of this Act, the public leader shall, within thirty days after the commencement of this Act, declare the interest in accordance with this section.

(3) The interests of the spouse or of the child of a public leader in relation to the Government contract shall be deemed to be the interest of the public leader.

(4) A declaration for the purposes of this section shall be made to the Commissioner in writing.

(5) A declaration by a public leader that-

- (a) states that he has an interest in a specified body corporate or firm;
- (b) specifies the nature and extent of the interest;
- (c) where the interest is a shareholding or partnership, specifies the proportion of the ownership of the company or firm represented by the shareholding or partnership; and

- (d) states that he is to be regarded as interested in any contract which may, after the date of the notice, be made with the Government by that body corporate or firm,

shall be a sufficient declaration of interest in relation to any contract so made unless, at the time the question of confirming or entering into any contract is first taken into consideration by the Government, the extent of his interest in the body corporate or firm is greater than is stated in the declaration.

(6) For the purposes of this section, a public leader has an interest in contract if-

- (a) he will derive any material benefit, whether direct or indirect, from the contract; or
- (b) one party to the contract is a firm or body corporate and he has a material interest, whether direct or indirect, in the firm or body corporate.

(7) For the purposes of paragraph (b) of subsection (6), a public leader shall not be considered to have a material interest in a body corporate by reason only that-

- (a) he holds debentures of the body corporate; or
- (b) he holds shares in the body corporate with a total market value of less than the annual emoluments from office of the public leader.

[s. 14]

Failure to make  
declaration, or  
making of false  
declaration  
Act No.  
4 of 2016 s. 69

**16.** A public leader who is subject to section 9 shall be considered to have breached the Code if-

- (a) he fails, without reasonable cause, to make a declaration required by that section;
- (b) he knowingly makes a declaration under section 9 that is false or misleading in a material particular; or
- (c) without reasonable cause, delays to make a declaration under section 9(1)(b).

[s. 15]

## PART IV

### SUPPLEMENTARY PROVISIONS APPLICABLE TO MINISTERS AND REGIONAL COMMISSIONERS

Relationship  
between this  
Part and the  
Constitution  
Cap. 2

**17.** The provisions of this Part shall, in so far as they apply to Ministers, Deputy Ministers, and Regional Commissioners, constitute part of the Code of Ethics for Ministers for the purpose of Articles 53 and 57 of the Constitution.

[s. 16]

Collective  
responsibility of  
Ministers  
Act No.  
7 of 2022 s. 21

**18.**—(1) A Minister shall not do anything that is inconsistent with the principle of the collective responsibility of Ministers for the policy of the Government and the conduct of its affairs and, in particular, shall not-

- (a) publicly contradict or disassociate himself from any policy adopted by the Cabinet;
- (b) issue public statements criticising another person holding Ministerial office; or
- (c) make unauthorised disclosures of Cabinet discussions, decisions or documents.

(2) A Deputy Minister and Regional Commissioner shall in the performance of the duties of his office be bound by the provisions of subsection (1).

[s. 17]

## PART V

### ADMINISTRATION AND ENFORCEMENT

Ethics Secretariat  
Acts Nos.  
5 of 2001 ss. 7, 8  
4 of 2016 s. 70  
7 of 2022 s. 22

**19.**—(1) The Ethics Secretariat, which is established by Article 132 of the Constitution of the United Republic, shall be an extra-ministerial department of Government under the Office of the President.

(2) The Secretariat shall, subject to this Act and the relevant provision of the Constitution, have the duty to-

- (a) receive declaration which are required to be made by public leaders under the Constitution or any other law;

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- (b) receive allegations and notifications of breach of the code by all public leaders who are subject to this Act;
  - (c) make inquiries into any alleged or suspected breach of the code by all public leaders who are subject to this Act;
  - (d) conduct physical verification in respect of declaration made pursuant to this Act;
  - (e) initiate and conduct any investigation in respect of the breach of ethics prescribed under this Act;
  - (f) providing ethics education to public leaders;
  - (g) conducting research on the status of ethics in the country;
  - (h) advising on matters relating to integrity in the country; and
  - (i) devising strategies for promoting ethics in the country.
- (3) The Secretariat shall, except for matters stipulated under subsections (4) and (5), have powers to order any person to-
- (a) attend before the Secretariat for the purpose of being interviewed, orally or in writing, in relation to any matter which may assist investigation of an alleged breach of the code;
  - (b) produce any book, document or any certified copy thereof and any article which may assist the investigation of an alleged breach of the code.
- (4) The Commissioner shall, where the Secretariat intends to conduct investigation in respect of a bank account, by order in writing supported by a warrant issued by a magistrate, authorise an officer of the Secretariat to investigate a bank account of a public leader concerned.
- (5) Notwithstanding subsection (4), the Commissioner shall, where the Secretariat intends to conduct investigation in respect to Bank Accounts, by order in writing supported by warrant issued by a magistrate upon showing cause to the magistrates as to why the order should be issued, authorise any officer of the secretariat to investigate any bank account of a public leader.

(6) An order made by the Commissioner under subsection (1) shall be sufficient authority for the disclosure or production by any person of all or any information accounts, documents or articles as may be required by the officer of the Secretariat so authorised.

(7) The President shall provide for the staffing of the secretariat and for the taking by them of the oath of secrecy in respect of matters handled by them.

[s. 18]

Immunity  
of officers of  
Secretariat  
Act No  
4 of 2016 s. 71

**20.** An officer of the Secretariat or any other person acting on behalf of the Secretariat shall not be liable for an acts done in good faith in the course of discharging his official duties.

[s. 18A]

Obstruction of  
officers from  
execution of  
duties  
Act No.  
4 of 2016 s. 71

**21.** A person who, knowingly or without reasonable cause-

(a) obstructs, whether directly or indirectly, an officer from execution of his duties or powers under the Act;  
or

(b) makes any false or misleading information, commits an offence and on conviction shall be liable to a fine of not less than one million shillings or to imprisonment for a term not exceeding one year or to both.

[s. 18B]

Ethics  
Commissioner  
Act No.  
5 of 2001 ss. 7, 9

**22.**-(1) There shall be established in the Ethics Secretariat, the Office of Ethics Commissioner, the holder of which shall be the head and chief executive of the department.

(2) The Commissioner shall be appointed from amongst persons of a high proved or provable integrity who are holding or have held or are eligible for appointment to hold-

(a) the office of Permanent Secretary;  
(b) the office of Judge of the High Court; or  
(c) any other high public office in the Service.

(3) The Commissioner shall be appointed by the President and-

(a) shall hold office for a term of five years;



- (b) is eligible for reappointment for another one term; and
- (c) may be removed from office for good cause.

[s. 19]

Register of  
declarations  
Act No.  
5 of 2001 ss. 6, 10

**23.**—(1) On receiving a declaration of interest under section 15 or a declaration of assets and income under section 9, the Commissioner shall cause the particulars of the declaration to be entered in a register.

(2) The register shall be kept in such form as the Minister approves and shall be made available for inspection by members of the public at all reasonable times.

(3) The Minister may, by regulations published in the *Gazette*, prescribe the manner in which members of the public shall inspect the register under this section.

[s. 20]

Declarations  
deemed to  
be statutory  
declarations  
Act No.  
5 of 2001 s. 6

**24.** A declaration made for the purposes of sections 9 or 15 shall be deemed to be a statutory declarations.

[s. 21]

Complaints of  
breaches of  
Part III  
Acts Nos.  
5 of 2001 ss. 7, 11  
4 of 2016 s. 72

**25.**—(1) An allegation that a public leader has breached Part III may be made to the Commissioner by any person, in writing giving particulars of the breach or breaches alleged, signed by the complainant's name and address:

Provided that, the Commissioner shall not refuse any allegation submitted to him for the reason only of lack of signature, names or address of the complainant.

(2) Upon receipt of a complaint or allegation against any public leader in relation to compliance with the Code, the Commissioner shall cause thorough preliminary investigation to be carried out by or on behalf of the secretariat into the allegation or complaints, and if he is satisfied that the investigation discloses a *prima facie* case for which a public leader may be justly required to give a public explanation of his conduct or property, he shall-

- (a) if the allegations or complaints relate to the President, submit them to the President and to the Speaker who shall submit the allegation to the Standing Committee of the National Assembly;
  - (b) if the allegations or complaints relate to any other public leader, notify the President and the Speaker and proceed as in subsection (5).
- (3) Where the allegation received by the Commissioner under this section relates to the Commissioner, the Commissioner shall immediately submit the allegation to the President.
- (4) Where a public leader considers that a statement made in the press or through the other public media alleges, directly or by implication, that he has breached Part III he may report the particulars of the breach or breaches alleged, in writing, to the Commissioner and request that the matter be referred to a tribunal.
- (5) The Commissioner shall notify the President and the Speaker of the allegation and shall, after consultation with the Attorney General and with the Chief Justice, direct the tribunal appointed in terms of section 29 to investigate the allegation.
- (6) The tribunal shall within forty five days upon receipt of directives made to it under subsection (5) report its finding to the Commissioner, who shall submit a copy to the President, to the Speaker, and to the disciplinary authority of the public leader, as well as to the public leader concerned.
- (7) The Speaker shall, within seven days after the first sitting of the National Assembly next after receiving the report, cause a copy of the report to be laid before the National Assembly.
- (8) The Commissioner shall, each year compile a report on the affairs and business of the secretariat, including cases dealt with by the Tribunal and submit it to the President who shall lay it before the National Assembly.

[s. 22]

Complaints of  
breaches of  
Part IV  
Acts Nos.  
5 of 2001 s. 7  
7 of 2022 s. 23

**26.**—(1) An allegation that a person holding office of Minister, Deputy Minister or Regional Commissioner has breached Part IV may be made to the President by any person in writing signed by the complainant and giving the complainant's name and address.

(2) The President shall give a copy of the allegation to the Minister, Deputy Minister or Regional Commissioner concerned, who shall proceed to furnish an explanation of his conduct to the President, but within not more than thirty days.  
[s. 23]

Procuring  
information and  
attendance of  
witnesses  
Act No.  
5 of 2001 s. 7

**27.**—(1) Subject to the provisions of this Act, the Tribunal may require any person who, in its opinion, is able to give any information relating to any matter relevant to any enquiry being conducted by it to furnish it with any such information and to produce any document, paper or thing which may be in the possession or under the control of that person and may, by order under the hand of the Chairman or Vice-Chairman, require any such person to attend before the Tribunal at a time and place specified in such order and be examined on oath or to produce any such document, paper or thing.

(2) Where the Tribunal orders any person to be examined on oath, any member may administer such oath.

(3) An order made under this section shall be served on the person to whom it is directed by a person holding office under the Tribunal or a police officer in the manner prescribed for the service of summons on a witness in civil proceedings before a court of law.

(4) Where a person to whom an order under this section is directed does not attend at the time and place mentioned therein, the Tribunal may, upon being satisfied that the order was duly served or that the person to whom the order is directed willfully avoids service, issue a warrant under the hand of the Chairman or Vice-Chairman to apprehend such person and to bring him before the Tribunal at a time and place specified in the warrant and a warrant issued under this section shall be executed by a police officer.

(5) Where a person is arrested in pursuance of a warrant issued under this section and is not brought before the Tribunal within twenty-four hours of his arrest or earlier released by order of the Tribunal on his undertaking to attend at a time and place specified by it, he shall forthwith be taken before a resident magistrate and the resident magistrate shall-

- (a) if such person enters into a suitable recognisance of his appearance before the Tribunal, release him from custody; or
- (b) order such person to be detained in custody until such time as he can be brought before the Tribunal.

(6) When any person is required by the Tribunal to attend before it for the purposes of this section, such person shall be entitled to the same fee, allowance and expenses as if he were a witness before a court of law and, for the purpose of this subsection, the Chairman or the Vice-Chairman shall have the powers of a court to fix or disallow the amount of any such fee, allowance or expenses.

(7) For the avoidance of doubts it is hereby declared that this section shall apply whether or not the person concerned is a public officer in respect of whose conduct the Tribunal has jurisdiction to enquire and whether or not such documents, papers or things are in the custody or under the control of any government ministry, division, or department, or the party or a parastatal organisation.

[s. 24]

Rights of  
witnesses  
Act No.  
5 of 2001 s. 7

**28.** Subject to this Act, a person who gives or is required to give information by, or ordered to attend to give evidence or to produce any document, paper or thing before the Commissioner or the Tribunal, shall be entitled in respect of such information, evidence, document, paper or thing to the same rights and privileges as witnesses have in the High Court.

[s. 25]

Tribunal  
Acts Nos.  
5 of 2001 s. 7  
4 of 2016 s. 73

**29.**—(1) Subject to subsection (2), a Tribunal for the purposes of this Act shall consist of three persons appointed by the President, one of them being appointed from amongst persons who hold or have held the office of Judge of Appeal or of Judge of the High Court, while the other two shall be appointed upon advice by the Commissioner.

(2) A member of the Tribunal shall hold office for a term of three years and shall be eligible for re-appointment for another term.

(3) Where a Tribunal has been constituted under subsection (4) of section 25, the Commissioner may commission it to investigate further allegations received by him under this section whether against the public leader concerned or another public leader.

(4) The President shall appoint one Member of the Tribunal as Chairman.

(5) Where a member of a Tribunal becomes unwilling to act or dies, the President may appoint another member in his place.

(6) A Tribunal shall conduct its inquiry in public, save that it may exclude representatives of the press or any or all other persons if it considers necessary so to do for the preservation of order, for the due conduct of the inquiry or for any other reason.

(7) A Tribunal may engage the services of such technical advisors or other experts as it considers necessary for the proper conduct of the inquiry.

(8) A Tribunal may request assistance from other investigative organs, including the Police, the Anti-Corruption Bureau, the Commission for Human Rights and Good Governance and those organs shall be empowered to provide information to the Tribunal and to conduct investigations on behalf of the Ethics Secretariat.

(9) In its report, the Tribunal may make recommendations as to administrative actions, criminal prosecutions or other further actions to be taken as it thinks fit.

(10) Where the Tribunal considers that an allegation was malicious, frivolous or vexatious, or that the particulars accompanying it are insufficient to allow a proper investigation to proceed, it shall say so in its report.

Cap. 32

(11) Sections 3, 4, 13, 14, 21 and 22 of the Commissions of Inquiry Act shall apply to a Tribunal as if-

- (a) the Tribunal were a Commission appointed under the Act; and
- (b) a reference to a Commissioner were a reference to a member of the Tribunal.

[s. 26]

## PART VI MISCELLANEOUS PROVISIONS

Amendment of  
Schedule

**30.**-(1) Notwithstanding section 4(1) relating to the definition of “Public leader”, the President may, by notice published in the *Gazette*, change, vary or amend the list of public leaders specified under subsection (1).

(2) Where any changes or variations occur in respect of any title of public leader specified in the Schedule (1), the new titles shall be deemed to be the proper title under this Act.

[s. 27]

Offences and  
penalties  
Act No.  
5 of 2001 ss. 7, 12

**31.**-(1) A person who without lawful justification makes an allegation against a public leader under section 25 or 26 knowing it to be false, commits an offence and on conviction, shall be liable to a fine of not less than two hundred thousand shillings and not more than one million shillings or to imprisonment for a term not exceeding two years.

(2) A person being a public leader who knowingly, makes false declaration of his assets or gives any false information in respect of his assets, commits an offence and on conviction, shall be liable to a fine of not less than one million shillings and not more than five million shillings or to imprisonment for a term not exceeding one year.

- (3) Notwithstanding subsection (2) the Commissioner-
- (a) may, where a public leader is suspected of having submitted a false declaration of his assets, require the public leader to confirm or amend the declaration; and
  - (b) shall, where after the confirmation or amendment, if any, under paragraph (a), the declaration is still false, refer the matter to the Tribunal.

[s. 28]

Payment of fees,  
remuneration or  
expenses  
Act No.  
5 of 2001 s. 7

**32.** A fee, remuneration or expense payable in respect of a Tribunal or for the purposes of the secretariat shall be paid out of moneys appropriated by Parliament for that purpose.

[s. 29]

Act not to  
derogate from  
other laws  
Act No.  
5 of 2001 s. 7  
Cap. 329  
Cap. 16

**33.** This Act shall not have the effect of limiting or derogating from the Prevention and Combating of Corruption Act, the Penal Code or any other written law, and the conclusion of proceedings under this Act shall not prevent the institution of criminal or other proceedings under any other law in respect of the public leader concerned.

[s. 30]

Act not to prevent  
public leader  
from resigning  
Act No.  
5 of 2001 s. 7

**34.** This Act shall not have the effect of limiting the right of a Minister or any other public leader to resign as Minister or as holder of other office of public leader.

[s. 31]

Regulations  
Acts Nos.  
5 of 2001 ss. 7, 13  
4 of 2016 s. 74

**35.**—(1) The President may make regulations for or with respect to any matter that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) Without restricting the generality of subsection (1), the regulations may prescribe-

- (a) fees for the inspection of the register;
- (b) procedure for summoning witnesses;
- (c) procedures for use by public leaders to divest themselves of property not permissible under this Act;



- (d) the manner in which this Act shall apply to public leaders who are members of the local government authorities;
- (e) the form to be filled by public leader for the purpose of declaration of assets under this Act; and
- (f) matters that constitute conflict of interest, measures and procedures for the control of conflict of interest.

[s. 32]

Omitted

36. [Omitted.]

[s. 33]

## SCHEDULE

(Made under section 4)

### LEADERS IN PUBLIC OFFICES

#### *Public Leadership Code of Ethics (Change of List of Public Leaders)*

GOVERNMENT NOTICE NO. 856 published on 24/11/2023

### THE PUBLIC LEADERSHIP CODE OF ETHICS ACT, (CAP. 398)

## NOTICE

(Made under section 4)

### THE PUBLIC LEADERSHIP CODE OF ETHICS (CHANGE OF LIST OF PUBLIC LEADERS) NOTICE, 2023

Citation

Cap. 398

1. This Notice may be cited as the Public Leadership Code of Ethics (Change of List of Public Leaders) Notice, 2023 and shall be read as one with the Public Leadership Code of Ethics Act hereinafter referred to as "the Act".

Change of list

2. The list of public offices provided under section 4 of the Act, in the definition of the term "public leader" is hereby changed by deleting and substituting for it the following:

“

- (i) President of the United Republic;
- (ii) Vice President of the United Republic;
- (iii) President of Zanzibar;
- (iv) Prime Minister;
- (v) Second Vice President of Zanzibar;
- (vi) Speaker, Deputy Speaker and Member of Parliament;
- (vii) Chief Justice, Justice of Appeal, Judge and Magistrate;
- (viii) Minister, Deputy Minister, Regional Commissioner and District Commissioner;
- (ix) Attorney General and Deputy Attorney General;



- (x) Ambassador or High Commissioner representing Tanzania abroad;
- (xi) Chief Secretary, Permanent Secretary, Deputy Permanent Secretary, Regional Administrative Secretary, Assistant Regional Administrative Secretary and District Administrative Secretary;
- (xii) Controller and Auditor General, Deputy Auditor General, Assistant Auditor General and Chief External Auditor;
- (xiii) Clerk of the National Assembly;
- (xiv) Chief of Defence Forces;
- (xv) Inspector General of Police;
- (xvi) Chief of National Service;
- (xvii) Commissioner General of Prisons;
- (xviii) Commissioner General of Immigration;
- (xix) Commissioner General of Fire and Rescue Force;
- (xx) Commissioner General of Drugs Control and Enforcement Authority;
- (xxi) Director General of Intelligence and Security;
- (xxii) Director General of Prevention and Combating of Corruption Bureau; Regional Bureau Chief and District Bureau Chief;
- (xxiii) Officer in the Tanzania People's Defense Forces with the rank of Colonel and above;
- (xxiv) Police Officer, Prison Officer, Immigration Officer and Fire and Rescue Officer with the rank of Assistant Commissioner and above;
- (xxv) Regional Police Commander, Regional Crimes Officer, Regional Traffic Officer, Officer Commanding District, Officer Commanding - Criminal Investigation Department and District Traffic Officer;
- (xxvi) Regional Prisons Officer and Prison Officer;
- (xxvii) Governor and Deputy Governor;
- (xxviii) Chief Executive Officer, Deputy Chief

- Executive Officer in Public Institution, Independent Department, Government Authority, Executive Agency, Public Corporation and Company;
- (xxix) Government Representative in a Corporation or Company where Government has interest;
- (xxx) Mayor, Chairperson and Councilor in a Local Government Council;
- (xxxi) Director, Deputy Director, Assistant Director, Secretary, Deputy Secretary, Assistant Secretary and Manager in Government Ministry, Public Institution, Independent Department, Government Authority, Executive Agency, Public Corporation, Regional Secretariat and Local Government Authorities;
- (xxxii) Head of Department, Unit in Government Ministry, Public Institution, Independent Department, Government Authority, Executive Agency, Public Corporation, Regional Secretariat and Local Government Authorities;
- (xxxiii) Chairperson, Vice-Chairperson, Member or Commissioner in a Commission;
- (xxxiv) Registrar, Deputy Registrar, Assistant Registrar in Government Ministry, Public Institution, Independent Department, Government Authority, Executive Agency, Public Corporation, Regional Secretariat and Local Government Authorities;
- (xxxv) Commissioner and Assistant Commissioner in Government Ministry, Public Institution, Independent Department, Public Corporation, Government Authority and Executive Agency;
- (xxxvi) Private Secretary and Assistant/Deputy Private Secretary to the President, Vice President and Prime Minister;

- (xxxvii) Advisor to the President;
- (xxxviii) Assistant to the President, Vice President and Prime Minister;
- (xxxix) Press Secretary, Assistant Press Secretary and Photographer to the President, Vice President and Prime Minister;
- (xl) Coordinator, Assistant Coordinator in Government Ministry, Public Institution, Independent Department, Public Corporation, Government Authority and Executive Agency;
- (xli) Project Coordinator in Government Ministry, Public Institution, Independent Department, Public Corporation, Government Authority, Executive Agency, Regional Secretariat and Local Government Authorities;
- (xlii) Comptroller and Deputy Comptroller of State House;
- (xliii) Cabinet Clerk and Deputy Cabinet Clerk;
- (xliv) Cabinet Under Secretary and Cabinet Assistant Secretary;
- (xlv) Chief Medical Officer and Chief Pharmacist; Regional Medical Officer and Medical Officer In-charge in Zonal, Regional and District Hospital;
- (xlvi) Accountant General, Assistant Accountant General and Chief Accountant (Sub-Treasury) and Regional and District Government Asset Management Officer;
- (xlvii) Internal Auditor General and Assistant Internal Auditor General;
- (xlviii) Chief Registrar, Registrar and Deputy Registrar in the Judiciary;
- (xlix) Chief Court Administrator, Administrator Court of Appeal and High Court;
  - (l) Chief Parliamentary Draftsman;
  - (li) Treasury Registrar;
  - (lii) Chief Accountant, Chief Internal Auditor in

- Government Ministry, Public Institution, Independent Department, Public Corporation, Government Authority, Executive Agency and Local Government Authorities;
- (lii) Vice Chancellor, Deputy Vice Chancellor, Head of Campus, College, Faculty, School in a Public University;
  - (liv) Principal, Rector, Deputy Principal, Deputy Rector, Head of Campus, College and Faculty in an Education Institute;
  - (lv) Chief Valuer and Chairman in District Land and Housing Tribunal;
  - (lvi) Regional and District Security Officer;
  - (lvii) Director of Public Prosecution, Deputy Director of Public Prosecution, Regional and District Prosecution Officer;
  - (lviii) Solicitor General and Deputy Solicitor General;
  - (lix) Administrator General and Deputy Administrator General;
  - (lx) Mediator and Arbitrator in Commission for Mediation and Arbitration;
  - (lxi) Resident Mines Officer; and
  - (lxii) Chairperson and Member in Board of Directors and Board of Trustees in Public Institution.”.

Revocation  
GNs. Nos.  
209 of 2005  
260 of 2013

3. The Public Leadership Code of Ethics (Variation of List of Public Leaders) Notice, 2005 and the Public Leadership Code of Ethics (Addition of List of Public Leaders) Notice, 2013 are hereby revoked.

Dodoma,  
28<sup>th</sup> August, 2023

SAMIA SULUHU HASSAN  
*President*

TANGAZO LA SERIKALI NA. 857 la tarehe 24/11/2023

SHERIA YA MAADILI YA VIONGOZI WA UMMA,  
(SURA YA 398)

**NOTISI**

*(Imetolewa chini ya kifungu cha 4)*

NOTISI YA KUBADILI ORODHA YA VIONGOZI WA UMMA KATIKA SHERIA YA  
MAADILI YA VIONGOZI WA UMMA YA MWAKA 2023

Jina  
Sura ya 398

1. Notisi hii itajulikana kama Notisi ya Kubadili Orodha ya Viongozi wa Umma katika Sheria ya Maadili ya Viongozi wa Umma ya Mwaka 2023 na itasomwa pamoja na Sheria ya Maadili ya Viongozi wa Umma ambayo hapa itarejewa kama “Sheria”.

Kubadili  
orodha

2. Orodha ya nyadhifa za umma iliyoainishwa chini ya kifungu cha 4 cha Sheria, katika tafsiri ya neno “kiongozi wa umma”, inabadilishwa kwa kufutwa na badala yake kuwekwa orodha ifuatayo:

“

- (i) Rais wa Jamhuri ya Muungano;
- (ii) Makamu wa Rais wa Jamhuri ya Muungano;
- (iii) Rais wa Zanzibar;
- (iv) Waziri Mkuu;
- (v) Makamu wa Pili wa Rais wa Zanzibar;
- (vi) Spika, Naibu Spika na Mbunge;
- (vii) Jaji Mkuu, Jaji wa Rufani, Jaji wa Mahakama Kuu na Hakimu;
- (viii) Waziri, Naibu Waziri, Mkuu wa Mkoa na Mkuu wa Wilaya;
- (ix) Mwanasheria Mkuu wa Serikali na Naibu Mwanasheria Mkuu wa Serikali;
- (x) Balozi Mwakilishi wa Tanzania nchi za Nje;

- (xi) Katibu Mkuu Kiongozi, Katibu Mkuu, Naibu Katibu Mkuu, Katibu Tawala wa Mkoa, Katibu Tawala wa Mkoa Msaidizi na Katibu Tawala wa Wilaya;
- (xii) Mdhibiti na Mkaguzi Mkuu wa Hesabu za Serikali, Naibu Mkaguzi Mkuu wa Hesabu za Serikali, Msaidizi wa Mkaguzi Mkuu na Mkaguzi Mkuu wa Hesabu za Nje;
- (xiii) Katibu wa Bunge;
- (xiv) Mkuu wa Majeshi ya Ulinzi;
- (xv) Inspekta Jenerali wa Jeshi la Polisi;
- (xvi) Mkuu wa Jeshi la Kujenga Taifa;
- (xvii) Kamishna Jenerali wa Jeshi la Magereza;
- (xviii) Kamishna Jenerali wa Uhamiaji;
- (xix) Kamishna Jenerali wa Jeshi la Zimamoto na Uokoaji;
- (xx) Kamishna Jenerali wa Mamlaka ya Kudhibiti na Kupambana na Dawa za kulevya;
- (xxi) Mkurugenzi Mkuu wa Usalama wa Taifa;
- (xxii) Mkurugenzi Mkuu wa Taasisi ya Kuzuia na Kupambana na Rushwa; Mkuu wa TAKUKURU Mkoa na Mkuu wa TAKUKURU Wilaya;
- (xxiii) Afisa katika Jeshi la Ulinzi kuanzia cheo cha Kanali;
- (xxiv) Afisa katika Jeshi la Polisi, Magereza, Uhamiaji na Zimamoto na Uokoaji kuanzia cheo cha Kamishna Msaidizi;
- (xxv) Kamanda wa Polisi Mkoa, Mkuu wa Upelelezi Mkoa, Mkuu wa Usalama Barabarani Mkoa, Mkuu wa Polisi Wilaya, Mkuu wa Upelelezi Wilaya na Mkuu wa Usalama Barabarani Wilaya;
- (xxvi) Mkuu wa Magereza Mkoa na Mkuu wa Gereza;
- (xxvii) Gavana na Naibu Gavana;

- (xxviii) Mtendaji Mkuu na Naibu Mtendaji Mkuu katika Taasisi, Idara, Mamlaka, Wakala wa Serikali, Shirika na Kampuni ya Umma;
- (xxix) Mwakilishi wa Serikali katika Shirika au Kampuni ambayo Serikali ina Maslahi;
- (xxx) Meya, Mwenyekiti wa Halmashauri na Diwani;
- (xxxi) Mkurugenzi, Naibu Mkurugenzi, Mkurugenzi Msaidizi, Katibu, Naibu Katibu, Katibu Msaidizi na Meneja katika Wizara, Taasisi ya Umma, Idara ya Serikali, Mamlaka ya Serikali, Wakala wa Serikali, Shirika la Umma, Sekretarieti ya Mkoa na Mamlaka ya Serikali za Mitaa;
- (xxxii) Mkuu wa Idara au Kitengo katika Wizara, Idara ya Serikali, Taasisi ya Umma, Mamlaka ya Serikali, Wakala wa Serikali, Shirika la Umma, Sekretarieti ya Mkoa na Mamlaka ya Serikali za Mitaa;
- (xxxiii) Mwenyekiti, Makamu Mwenyekiti, Mjumbe au Kamishna katika Tume;
- (xxxiv) Msajili, Mrajisi, Naibu Msajili, Naibu Mrajisi, Msajili Msaidizi, Mrajisi Msaidizi katika Wizara, Idara ya Serikali, Taasisi ya Umma, Mamlaka ya Serikali, Wakala wa Serikali, Shirika la Umma, Sekretarieti ya Mkoa na Mamlaka ya Serikali za Mitaa;
- (xxxv) Kamishna na Kamishna Msaidizi katika Wizara, Idara ya Serikali, Taasisi ya Umma, Shirika la Umma, Mamlaka ya Serikali na Wakala wa Serikali;
- (xxxvi) Katibu Binafsi na Naibu Katibu au Katibu Msaidizi Binafsi wa Rais, Makamu wa Rais na Waziri Mkuu;
- (xxxvii) Mshauri wa Rais;
- (xxxviii) Msaidizi wa Rais, Makamu wa Rais na Waziri Mkuu;

- (xxxix) Mwandishi wa Habari, Mwandishi wa Habari Msaidizi na Mpiga Picha wa Rais, Makamu wa Rais na Waziri Mkuu;
- (xl) Mratibu, Mratibu Msaidizi katika Wizara, Idara ya Serikali, Taasisi ya Umma, Shirika la Umma, Mamlaka na Wakala wa Serikali;
- (xli) Mratibu wa Mradi katika Wizara, Idara ya Serikali, Taasisi ya Umma, Shirika la Umma, Mamlaka ya Serikali, Wakala wa Serikali, Sekretarieti ya Mkoa na Mamlaka ya Serikali za Mitaa;
- (xlii) Mnikulu na Naibu Mnikulu;
- (xliii) Karani na Naibu Karani wa Baraza la Mawaziri;
- (xliv) Msaidizi wa Katibu na Katibu Msaidizi wa Baraza la Mawaziri;
- (xlv) Mganga Mkuu na Mfamasia Mkuu wa Serikali, Mganga Mkuu wa Mkoa, Mganga Mfawidhi wa Hospitali ya Kanda, Mkoa na Wilaya;
- (xlvi) Mhasibu Mkuu wa Serikali, Mhasibu Mkuu wa Serikali Msaidizi na Mkuu wa Hazina Ndogo na Mhakikimali wa Mkoa na Wilaya.
- (xlvii) Mkaguzi wa Ndani Mkuu wa Serikali na Mkaguzi wa Ndani Mkuu wa Serikali Msaidizi;
- (xlviii) Msajili Mkuu, Msajili na Naibu Msajili wa Mahakama;
- (xlix) Mtendaji Mkuu wa Mahakama, Mtendaji wa Mahakama ya Rufani na Mahakama Kuu;
  - (I) Mwandishi Mkuu wa Sheria;
  - (li) Msajili wa Hazina;
  - (lii) Mhasibu Mkuu na Mkaguzi wa Ndani Mkuu katika Wizara, Idara ya Serikali, Taasisi ya Umma, Shirika la Umma, Mamlaka ya Serikali, Wakala wa Serikali, Sekretarieti ya Mkoa na Mamlaka za Serikali za Mitaa;



- (liii) Makamu Mkuu wa Chuo, Naibu Makamu Mkuu wa Chuo, Mkuu wa Kampasi, Mkuu wa Ndaki, Mkuu wa Kitivo na Mkuu wa Shule katika Chuo Kikuu cha Umma;
- (liv) Mkuu wa Chuo, Naibu Mkuu wa Chuo, Mkuu wa Kampasi, Mkuu wa Ndaki na Mkuu wa Kitivo katika Taasisi ya Elimu;
- (lv) Mthamini Mkuu na Mwenyekiti wa Baraza la Ardhi na Nyumba wa Wilaya;
- (lvi) Afisa Usalama Mkoa na Wilaya;
- (lvii) Mkurugenzi wa Mashtaka, Naibu Mkurugenzi wa Mashtaka, Mkuu wa Mashtaka Mkoa na Mwendesha Mashtaka Wilaya;
- (lviii) Wakili Mkuu wa Serikali na Naibu Wakili Mkuu wa Serikali;
- (lix) Kabidhi Wasii Mkuu na Naibu Kabidhi Wasii Mkuu;
- (lx) Msuluhishi na Muamuzi katika Tume ya Usuluhishi na Uamuzi;
- (lxi) Afisa Madini Mkazi; na
- (lxii) Mwenyekiti na Mjumbe wa Bodi katika Bodi ya Wakurugenzi na Bodi ya Wadhamini katika Taasisi ya Umma.”.

Kufuta  
TS. Na.  
209 la 2005  
260 la 2013

3. Notisi ya Mabadiliko ya Orodha ya Viongozi wa Umma ya Mwaka 2005 na Notisi ya Sheria ya Maadili ya Viongozi wa Umma (Nyongeza ya Orodha ya Viongozi wa Umma) Taarifa, 2013 zinafutwa.

Dodoma,  
28 Agosti, 2023

SAMIA SULUHU HASSAN  
Rais