



TANZANIA

2016 Report on Open & Secretive
Public Institutions in Tanzania

INTRODUCTION

The development of legislation to facilitate access to information (ATI) is an indispensable requirement for modernising the public sector and for effective governance, this is especially true at this point in time when governments worldwide are moving towards openness and transparency.

The global trend is shifting towards openness, supported by statements aimed at ensuring universal and equitable access to information as a basic human right.

Internal and external pressures from media organisations and institutions, civil society, local and international press associations, as well as regional and international organisations, have heavily influenced the increasing approval and adoption of ATI legislation.

The number of countries with national ATI laws has increased rapidly, with 19 in 1995 to over 100 nations adopting a national ATI law around the world today.

The theme of UNESCO's 2016 World Press Freedom Day (WPF) celebration was "Access to Information and Fundamental Freedoms- This Is Your Right!" – which further highlighted the increasing scope of stakeholders' influence.

Under the banner of the above-mentioned theme, the 2016 commemoration of WPF in Tanzania was used as an opportunity to reflect on the state of access to information in the country, especially with respect to media freedom. The Tanzanian government, as represented by Hon. Nape Nnauye, Minister for Information, Culture, Arts and Sports, emphasised that the Fifth Phase Government exists to ensure that all policies and strategies promoting media freedom are improved through mutual discussion with all stakeholders.

He stated that all laws which could potentially have a negative influence on freedom of expression and access to information (such as the Cyber Crime Act and the Statistics Act), will be reviewed in collaboration with stakeholders.

He stressed that the Media Services Bill, which is directly under his Ministry, will not be tabled before Parliament until there is an agreement with stakeholders on its content. Time will tell whether this statement will be followed through with action, or whether it was merely a politically-calculated statement; this was the very same Minister who was vehemently opposed by free expression supporters for his move to ban live broadcasts of Parliament sessions.

During the key note address at the same event, Chief Justice, Hon. Mohamed Chande Othman said that one of the key focus areas of the judiciary of Tanzania has been to further promote human rights.

Speaking on his behalf, Justice Robert Makaramba, the judge in charge of Mwanza High Court, said the judiciary clearly understood that the lack of access to information is entrenching

poverty in Tanzania. Therefore, during the implementation of the future Right to Information Bill there will be a need for deep reflection on strategies, challenges and lessons learnt in the past.

In recognition of this fact, the judiciary is working alongside MISA Tanzania to train its staff on how vital and necessary it is to promote access to information for the public's benefit.

Stakeholders, under the umbrella of the Coalition of Right to Information (CORI), have been working tirelessly with the Government of Tanzania and Parliament to establish a progressive access to information law in Tanzania. The overall objective is to mitigate corruption and provide the public with the ability to request and receive documents and other public information held by all government and publicly-funded agencies.

After several ATI bills were rejected between 2013 - 2015, the following year, in June 2016, a new bill, the Right to Information Bill, was tabled in Parliament for its first reading. Its second reading is scheduled for September this year, after a preliminary meeting in August where stakeholders will have the chance to share their final views on the Bill.

Although some stakeholders agree it is an improvement from the previous version, critics believe there is still a lot to be changed, discussed and deliberated upon before it is passed into law.

CORI members went through the Bill and identified areas to be improved upon. Some of these issues include costs introduced for anyone requesting information. CORI's recommendation is that public information should be given free of charge. Equally, the tabled Bill discriminates against people who are not citizens of the United Republic of Tanzania from requesting information. It is CORI's suggestion that every person should have the right to access to information as stipulated in the Tanzanian Constitution.

The Bill is sought to apply to mainland Tanzania only, and it has therefore been proposed to extend the application of the law to cover the Zanzibar archipelago as well.

The Bill further suggests a long list of information which is exempted from public access. It is the stakeholders' proposal that exemptions should be strictly limited to issues of national security, interference of court procedures, and those of research and discovery.

The Bill introduces criminal charges for people who distort the information obtained, as well as for information holders who disclose exempt information. It is recommended that such offences should not be seen as criminal offences but, in the latter case for instance, as professional misconduct. It is the opinion of the stakeholders that government officials responsible for handling information should be held accountable only when they deny access to information without reasonable justification.

Stakeholders also proposed creating a Commission for Information which will be responsible for handling all the information from Government and private institutions. The Commission will be vested with the power to ensure that all necessary information is recorded and kept in the Commission for public access.

RATIONALE AND RESEARCH PARAMETERS

MISA Tanzania joined other MISA Chapters in participating in a study to establish the most open and secretive government and public institutions in southern Africa. The study started on the 4th of July 2016 and was concluded on the 26th of July 2016.

Seven of the eight institutions picked have been named the most open institutions in Tanzania since the start of the study in 2009. The goal was to find out which one of the most open institutions was actually the 'most open'.

The eighth institution assessed, the Occupational Safety and Health Agency, is a recently-established public agency, which was picked by the researcher to see how it compared to established ones.

The following public institutions were surveyed:

1. Tanzania Revenue Authority (TRA)
2. Occupational Safety and Health Agency (OSHA)
3. Ministry of Finance (MoF)
4. Ministry of Water and Irrigation (MWI)
5. National Bureau of Statistics (NBS)
6. Ministry of Energy and Mineral (MEM)
7. Ministry of Constitution and Legal Affairs (MOCLA)
8. National Housing Cooperation (NHC)

Research Methodology

The research adopted qualitative and quantitative methods of data collection and sought to assess the level of public access to information held by government and public institutions. In order to achieve this, research was conducted by evaluating the websites of government and public institutions, along with their feedback to information requests. This method sought to establish government and public institutions' transparency and efficiency in providing information to the public.

The researcher had the request letters hand-delivered and sent via email to the addresses of the respective institutions.

The requests for information were sent on 4th and 5th of July 2016 and dispatches were signed by the responsible persons. A week later, follow-ups were conducted via telephone.

Limitations of the Study

- Acknowledging receipts of request letters is still a challenge to some agencies and ministries. It is an embedded culture that would probably take time to outdate. When a letter is sent, someone receives it and signs the dispatch form and hands it over to the intended recipient. This person however, does not acknowledge the receipt of the letter.
- This year, some of those required to receive the letters did not even want to sign the dispatch form neither would they give out their contact details. The picture one gets is that no one wants to be held liable.
- Limited resources.

SUMMARY OF KEY FINDINGS

Category 1: Website analysis

- Most of the websites surveyed are up-to-date. The websites are transparent and well-organised, providing a sufficient amount of relevant public information. The websites provide directions to the office; some have even maps, contact details and working hours.
- Most of the websites had several links to other government sites, improving information seeking and sharing. The Ministry of Energy scored highly (18 points) with the recently-established Occupation Safety & Health Authority (OSHA) scoring only 7 points.
- It was observed that, while the OSHA website contained some key information, other vital information was missing; more updates and relevant information are needed.
- The social networks linked to these sites are not frequently updated; the social networks of the Occupation Safety & Health Authority (OSHA) for instance, were last updated in January 2016.
- Most of the websites are in both national languages (English and Swahili), overcoming the language barrier and increasing the number of people that can access information.
- Most offices have websites and it was observed that the information posted is often up-to-date and downloadable documents are provided.

Category 2: Requests for information

- All the institutions surveyed had their contacts and email addresses on their websites, but not all were active since some of the emails sent failed permanently such as that sent to the Ministry of Lands Housing and Human Settlements Development.
- Modes of responding to requests interestingly differed from one institution to another. There were those who were quick to respond to emails, while others responded by telephone. But there were also those who simply found difficulties with everything and never responded.
- Two of the institutions surveyed, requested the researcher to physically visit their offices and obtain the information needed rather than responding via email or letter. The institutions were the National Housing Corporation and the National Social Security Fund.
- One institution, the National Bureau of Statistics responded to the request for information on the fourth day. They sent an email and a message to the researcher to check the email and visit their website.

- Another institution, the Ministry of Lands, Housing and Human Settlement, answered all questions via the phone when they were called. The Researcher had the chance to ask more questions, and was welcomed to their office for more information.
- Three of the eight institutions did not respond to the questions sent to them or acknowledge receipt. These included the Judiciary of Tanzania, Ministry of Tourism and Natural Resources, as well as the Ministry of East Africa Corporation.
- The emails sent to two institutions, the Judiciary of Tanzania and Ministry of Lands, Housing and Human Settlement Development, permanently failed, meaning that the displayed email addresses were not accessible.

DETAILED FINDINGS

1. Tanzania Revenue Authority

CATEGORY 1: WEBSITE

www.tra.go.tz

The Tanzania Revenue Authority's website is well-vested with information, especially information relevant to tax payers. It provides details on the procedures of remitting taxes. It stipulates the institution's system of governance. The site provides a "feedback" option which allows for sending direct feedback to the institution. It has links to several social media sites including Facebook, Twitter, YouTube and Flickr.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?	•			
d) Budget and expenditure?			•	No specific budget information
e) Information about procurement procedures, signed contracts?			•	Only tender announcements; no information on procurement procedures
f) Vacancy and employment procedures?			•	Only vacancy announcements
g) The address, telephone number, and working hours of the institution?	•			
h) The contact details of specific public officials?	•			
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

Total Score: 17/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the Tanzania Revenue Authority (TRA):

1. Your institution has the mandate to collect revenue to enable Government to undertake its duties, how do common citizens access information useful to them from your office? Do they need to pay for that information?
2. Your institution advises the Minister of Finance on the national budget; citizens are complaining that the sources of revenues on the national budget have always been the same - on alcohol products. What do you say about this and what are your future plans with regards to widening the tax collection base?
3. Most business people in the country, especially SMEs, are complaining about the way EFDs machines are running. Some issues raised are that most of the machines supplied have technical problems from time to time. What do you have to say about this?
4. There is great improvement in your systems, for example TANCIS, but users are complaining that some of these systems are very slow and sometimes not operating as required. What are your comments on this?
5. Your institution deals with sensitive issues as it collects government revenues, what is your plan to make sure that you have zero corruption in your daily undertakings?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			Official at the Tax Payers Education Department
2. Did the institution reply within 21 days?	•			TRA responded in four days' time after receiving the information request
3. Did the institution respond to the request for information?	•			
4. Does the authority publish their procedures for dealing with information requests?			•	The TRA website only provides for the contacts of officers who provide information
5. Did the institution provide all of the information requested?	•			
6. Did the institution provide written reasons for the refusal of information?	•			
7. Did the institution disclose information about its operations, budgets, structure etc.	•			
8. Did the authority provide information without questioning the aims and motivations of the applicant?	•			
9. Did the institution acknowledge your request for information within 7 days?	•			
10. Was the information received clear and understandable?	•			

Total Score: 19/20

2. Occupational Safety and Health Agency (OSHA)

CATEGORY 1: WEBSITE

www.osha.or.tz

The Occupation Safety and Health Agency's (OSHA) website has a simple design; relevant information is lacking available information is outdated; and pictures are of low quality. There are social media links to Facebook and Twitter, though the sites are not updated.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?			•	The OSHA website only provides an organisational structure chart which shows staff members, without stating their responsibilities
b) A list of laws, Acts etc. issued within the scope of its powers?			•	The OSHA website only provides information on its mandate according to the law: the Occupational Health and Safety Act. No. 5 of 2003
c) Reports, policies, programmes?		•		
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?	•			

n = 20	Yes	No	Partial	Additional Information
h) The contact details of specific public officials?			•	Only the contact of the head office is provided: telephone numbers, P.O. Box numbers and fax numbers
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

Total Score: 7/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the Occupational Safety and Health Agency:

1. Your institution has a mandate to supervise and promote the health of Tanzania's people by making sure that working environments are safe and all necessary precautions are met; how do common citizens access information useful to them from your office? Do they need to pay for information?
2. Through the mandate above, OSHA is also required to visit various working areas to inspect how safe the working environment is. What efforts have been taken so far to visit small private workshops where young people are working in very poor conditions?
3. Most of private houses are built by masons who do not wear protective gear; what measures has OSHA taken to make sure inspections are conducted in various areas and to ensure the law is abided to by the builders.
4. There is great improvement in your systems and OSHA certificates can be found in some workshops and offices; what efforts is OSHA making to ensure its services are reaching remote areas?
5. Your institution works in sensitive areas, protecting workers, though some of your staff are tempered and issue some documents and certificates without following proper procedures; what is your plan to make sure that you have zero corruption in your daily undertakings?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			
2. Did the institution reply within 21 days?	•			
3. Did the institution respond to the request for information?	•			
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?	•			
6. Did the institution provide written reasons for the refusal of information?	•			
7. Did the institution disclose information about its operations, budgets, structure etc.		•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?	•			
9. Did the institution acknowledge your request for information within 7 days?			•	But they replied to the request letter on the 8th day
10. Was the information received clear and understandable?	•			

Total Score: 15/20

3. Ministry of Finance (MoF)

CATEGORY 1: WEBSITE

www.mof.go.tz

The Ministry of Finance's website looks simple and very limited. Tabs are provided however, other headlines are provided along the side panel of the website. The website is user-friendly for experienced users but can otherwise be difficult to navigate for those unfamiliar with the Ministry or those not very tech-savvy.

The website also contains various policy documents which might be useful to policy makers and analysts. The website is not linked to any social media sites.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?			•	The website only provides the names of senior personnel and their titles; no job description is provided for any of them
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?	•			
d) Budget and expenditure?	•			
e) Information about procurement procedures, signed contracts?	•			
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?			•	Only the address of the Permanent Secretary's office, despite the various departments
h) The contact details of specific public officials?			•	Only contact details for the Permanent Secretary's office are provided
i) A mechanism to request and receive a response to electronic messages and requests for information?			•	Only email address and telephone numbers are provided

Total Score: 14/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the Ministry of Finance:

1. Your Ministry is responsible for the national budget and other finances; how do common citizens access information useful to them from your office? Do they need to pay for information?
2. Your Ministry is now working under the Fifth Phase Government for which issues of revenue collection and tax adherence is a priority; what measures have you set to make sure that you achieve the Government's goals?
3. There have been complaints from the local government authorities (cities, regional and district authorities) over the delay and very limited disbursement of funds allocated for development activities; what measures have been prepared to meet this challenge?
4. Your Ministry is overseeing the work of the TRA, what are your plans to expand the tax collection base without relying on the common tax bases, for example taxing alcohol products?
5. The Ministry of Finance coordinates all government finances; what is your plan to make sure that you have zero corruption in your daily undertakings?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?			•	When contacting the institution, an Information Officer unaware of the information request provided his personal email address to receive the letter. The official never replied once emailed.
2. Did the institution reply within 21 days?		•		
3. Did the institution respond to the request for information?		•		
4. Does the authority publish their procedures for dealing with information requests?			•	The website only detailed how one can request for information
5. Did the institution provide all of the information requested?		•		
6. Did the institution provide written reasons for the refusal of information?		•		
7. Did the institution disclose information about its operations, budgets, structure etc.		•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•		
9. Did the institution acknowledge your request for information within 7 days?		•		
10. Was the information received clear and understandable?		•		

Total Score: 2/20

4. Ministry of Water and Irrigation

CATEGORY 1: WEBSITE

www.maji.go.tz

The Ministry of Water website is well-packed with relevant information relating to the water sector. This website has nine navigation tabs on the home page, giving details of the Ministry's functions and agencies. It provides details on projects implemented by the Ministry and its agencies. Social media sites linked to the website include: an updated Facebook page, Twitter and Instagram account (though not updated).

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?	•			
d) Budget and expenditure?	•			
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?	•			
g) The address, telephone number, and working hours of the institution?	•			
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?			•	Only email address and telephone numbers are provided

Total Score: 15/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the Ministry of Water and Irrigation:

1. Your Ministry has been vested with the mandate to make sure that water, as the source of life, is available to all people; how do common citizens access information useful to them from your office? Do they need to pay for information?
2. Shortage of water has been the order of the day in most places in Tanzania (for example in the Lindi Region, and especially Lindi town), it is a dream to have clean water - people are using salted water from the wheels. What is the long term plan of the Ministry to make sure that water is available to all people, especially in rural areas?
3. Residents of Dar es Salaam are complaining that DAWASCO associates with business people to sell water using car trunks, while denying them their right to have tap water in their homes. What do you say about this?
4. There is an influx of bottled water supplied by various industries and some seem to be of low quality. How do you associate with the Ministry responsible for proper industrial standards to make sure that water products are meeting the required standards?
5. Your Ministry runs a number of multi-million water projects; what is your plan to make sure that you have zero corruption in your daily undertakings?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?			•	When called, the Registry informed the researcher that there is a department responsible for dealing with information requests and the information request has been sent to said department which will call the researcher back. Nothing happened thereafter.
2. Did the institution reply within 21 days?		•		
3. Did the institution respond to the request for information?		•		
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?		•		
6. Did the institution provide written reasons for the refusal of information?		•		
7. Did the institution disclose information about its operations, budgets, structure etc.		•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•		
9. Did the institution acknowledge your request for information within 7 days?		•		
10. Was the information received clear and understandable?		•		

Total Score: 1/20

5. National Bureau of Statistics (NBS)

CATEGORY 1: WEBSITE

www.nbs.go.tz

The NBS website is very well-packed with information which reflects the work they are doing. It provides information on world population, country population (both mainland and Zanzibar), GDP, population projection, and CPT on a monthly basis. It is in both English and Kiswahili which means a large audience can easily access this information. Different social media sites including Facebook, and Twitter are linked to this website. Most of the information is updated as the nature of the institution is to provide current statistics on various issues.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?			•	The website provides the organisation chart which indicates various posts, from directors to staff of the departments. However, it lacks information on the functions of directors, managers and junior officers.
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?	•			
d) Budget and expenditure?			•	The website does not provide budget and expenditure, it only provides the institutional business plan for the financial year 2015/16.
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?	•			
h) The contact details of specific public officials?	•			
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

Total Score: 14/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the National Bureau of Statistics (NBS):

- How do common citizens access information useful to them from your office? Do they need to pay for information?
- Your office is responsible for the statistics in various areas; how do common citizens access the statistics produced by your institution relevant for their activities?
- How useful is your information? Do you normally receive feedback from the people or institutions that use your information?
- How do you develop trust with the people or institutions that are using your statistical data in the planning of their projects or activities?
- How do you work with other institutions (especially those from on international and regional level) in developing statistical information?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			Institutional Information Officer
2. Did the institution reply within 21 days?	•			
3. Did the institution respond to the request for information?	•			
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?	•			
6. Did the institution provide written reasons for the refusal of information?	•			
7. Did the institution disclose information about its operations, budgets, structure etc.	•			

n = 20	Yes	No	Partial	Additional Information
8. Did the authority provide information without questioning the aims and motivations of the applicant?	•			
9. Did the institution acknowledge your request for information within 7 days?		•		
10. Was the information received clear and understandable?	•			

Total Score: 16/20

6. Ministry of Energy and Mineral

CATEGORY 1: WEBSITE

www.mem.go.tz

The MEM website is packed with a lot of information with regards to the mineral and energy sector, as well as the Ministry's relevant institutions and agencies. It provides updated information on mineral licenses and other energy projects. Each particular ministerial agency and institution has its own site within the main ministerial website. The website has additional video clips which explain the various activities that are conducted by the Ministry, its agencies and institutions. The site also provides a feedback form for visitors. No social media is connected to the website.

The website has provided the following important information for its users:

Please note that we are in Tanzania with time zone (GMT+03:00). Although we may not be in office at times convenient for all international enquiries, we do monitor our e-mail outside normal office hours.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?	•			
d) Budget and expenditure?	•			
e) Information about procurement procedures, signed contracts?	•			
f) Vacancy and employment procedures?	•			
g) The address, telephone number, and working hours of the institution?	•			
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

Total Score: 18/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the Ministry of Energy and Mineral:

1. Your Ministry is responsible for the minerals and energy sectors; how do common citizens access information useful to them from your office? Do they need to pay for information?
2. Your Ministry is responsible for rural electrification run by REA, there are some complaints that majority of the people in villages cannot afford electrical equipment that enabled them to be connected. What measures are there in place to help them access electrical equipment in a reasonable price?
3. The Fifth Phase Government is focusing on industrialisation, and being the ministry responsible for energy, what steps have you taken to meet the high demand of electricity power to the emerging industries?

4. Power-rationing has always been a headache to city dwellers, for example in Dar es Salaam; what is your plan to make this power shortage and rationing in our country a thing of the past?
5. Artisan miners in most places in Tanzania are still complaining that the government has failed to assist them getting equipment to facilitate their work, but is instead associating with large miners to eliminate them from their mining sites; how do you explain this?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			
2. Did the institution reply within 21 days?		•		
3. Did the institution respond to the request for information?		•		
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?		•		
6. Did the institution provide written reasons for the refusal of information?		•		
7. Did the institution disclose information about its operations, budgets, structure etc.		•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•		
9. Did the institution acknowledge your request for information within 7 days?		•		
10. Was the information received clear and understandable?		•		

Total Score: 2/20

7. Ministry of Constitution and Legal Affairs

CATEGORY 1: WEBSITE

www.sheria.go.tz

The website of the Ministry of Constitutional and Legal Affairs contains information that focuses on their duties. This site is also linked to other websites that provide information on legal issues within the country as well as outside its territories. Only a Facebook page is linked to this website, carrying up-to-date information.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?	•			
h) The contact details of specific public officials?	•			
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

Total Score: 12/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the Ministry of Constitution and Legal Affairs:

1. Your Ministry is responsible for all legal issues, including government contracts and law reforms; how do common citizens access information useful to them from your office? Do they need to pay for information?
2. In recent days, there have been a number of statements and orders from government officials that infringe the rights of people. Most of these statements and orders are unconstitutional (i.e. one of the RPC talking to journalist said “lawyers should not come forward and negotiate for bails for their clients otherwise they will be joined in the case);” what is the opinion of the Ministry with regards to such statements?
3. Some of the Members of Parliament were complaining during the Bunge sessions that some contracts which the government is involved in, are of poor quality and dubious; what is your statement on this?
4. Your Ministry is vested with the task to supervise the amendments of laws, especially those which are infringing the rights of people. (i.e. the Penal Code on laxity of the procedures which delays justice); what are the measures taken to make sure justice is not delayed?
5. Your Ministry is one of the sensitive areas as its mandate is to prepare contracts that attract billions of money; what is your plan to make sure that you have zero corruption in your daily undertakings?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?			•	According to the information from the telephone operator, a responsible person replied to the letter though she was not able to disclose his/her title.
2. Did the institution reply within 21 days?		•		
3. Did the institution respond to the request for information?		•		
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?		•		
6. Did the institution provide written reasons for the refusal of information?		•		
7. Did the institution disclose information about its operations, budgets, structure etc.		•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•		
9. Did the institution acknowledge your request for information within 7 days?		•		
10. Was the information received clear and understandable?		•		

Total Score: 1/20

8. National Housing Cooperation (NHC)

CATEGORY 1: WEBSITE

<http://www.nhc.co.tz/en/>

Dealing with the real estate business, the website is filled with updated information on current projects, along with attractive housing graphics. The Corporation also has an updated Facebook page as well as a YouTube account with numerous videos showing various projects.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			

n = 20	Yes	No	Partial	Additional Information
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?	•			
f) Vacancy and employment procedures?	•			
g) The address, telephone number, and working hours of the institution?	•			
h) The contact details of specific public officials?	•			
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

Total Score: 16/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the National Housing Cooperation (NHC):

1. How do common citizens access information useful to them from your office? Do they need to pay for information?
2. How does common citizens with low income manage to buy a house you're selling?
3. How do you perform your duties? Do you have people and resources on the ground all over the country?
4. Most of your projects are carried out in townships; do you have a plan in the near future to reach the village level?
5. How do you work with other institutions, such as those of higher learning and research? Do you believe information/statistical information prepared by these institutions is relevant in shaping the development of the country?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?		•		
2. Did the institution reply within 21 days?		•		
3. Did the institution respond to the request for information?		•		
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?		•		When the call was made to their offices, the researcher was simply told that the responsible office is shifting from its original place to other premises and that they will answer the question when the move is finalised.
6. Did the institution provide written reasons for the refusal of information?		•		
7. Did the institution disclose information about its operations, budgets, structure etc.			•	The only information found on the website is the Institutional Strategic Plan which indicates some budgetary issues.
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•		
9. Did the institution acknowledge your request for information within 7 days?		•		
10. Was the information received clear and understandable?		•		

Total Score: 1/20

SUMMARY IN NUMBERS

Institution	Website	Request for information	Total score
Tanzania Revenue Authority (TRA)	17	19	36
Occupation Safety & Health Authority (OSHA)	7	15	22
Ministry of Finance (MoF)	14	1	15
Ministry of Water and Irrigation (MWI)	15	1	16
National Bureau of Statistics (NBS)	14	16	30
Ministry of Energy and Mineral (MEM)	18	2	20
Ministry of Constitution and Legal Affairs (MOCLA)	12	1	13
National Housing Cooperation (NHC)	16	1	17

RESEARCH CONCLUSIONS

It has to be understood that this year's research collided with the beginning of the Phase Five Government, which is under high pressure and has many ambitious goals.

Most government ministries, institutions and agencies are operating at high speed. It was the high expectation of this research that the information requests would have been responded to in a prompt and timely manner, but with some of the institutions, ministries and agencies the opposite has been true.

Some of the officers continue operating as business-as-usual. Some of the institutions have responded very quickly and went even further by calling the researcher for more clarification.

This year's study picked the winners of the previous years, together with one new agency: OSHA. As it can be seen in the summary of research findings above, the performances of some of the past winners have dropped significantly.

THE MOST SECRETIVE PUBLIC INSTITUTION IN TANZANIA

There are four poorly performing institutions with a total score below 20; these are the Ministry of Finance, the Ministry of Water and Irrigation, the Ministry of Constitution and Legal Affairs and the National Housing Cooperation.

With the lowest score among the public institutions surveyed, the Most Secretive Public Institution in Tanzania in 2016 is the **Ministry of Constitution and Legal Affairs**.

THE MOST OPEN PUBLIC INSTITUTION IN TANZANIA

TRA scored the highest out of all the public institutions surveyed. The institution's swift response to the questions sent to them and the fact that they invited the researcher for an interview shows their readiness to share information with the public. The answers they provided were very detailed. This is the only institution which received 90 per cent of the possible score for the survey.

Thus the Most Open Public Institution in Tanzania in 2016 is the **Tanzania Revenue Authority**.

RECOMMENDATIONS

Most of the people who are responsible for or who are supposed to be responsible for handling requests for information from the public are information officers, public relations officers, switchboard operators, receptionists and front desk staff.

The study found that these people lack a range of skills in dealing with requests, both written and oral. Even some of the staff with the relevant skill set either seem to be ignorant to the necessity of providing public information or appear to be unwilling to do their job.

The study also found out that no customer relations systems and procedures are used by the front office staff when responding to requests for information.

The study therefore recommends the following:

- Establishing mechanisms to respond to requests for information from the public. These mechanisms should be used to interpret, analyse and communicate information, data, complaints, requests for services and should facilitate reporting to management/authorities.
- Development of customer care/relations skills for relevant staff in public offices. Skills that will help them demonstrate professional customer/client relationship and technical skills, supervisory techniques and management skills.
- Establishment of laws guaranteeing access to information and bylaws that will hold information bearers responsible for either delaying or not responding to the public's requests for information.