

AMENDMENTS

NON-CITIZENS (EMPLOYMENT
REGULATION) ACT, 2015

Change Starts Here

TANZANIA NON-CITIZENS (EMPLOYMENT REGULATION) ACT, 2015 IS AMENDED THROUGH WRITTEN LAWS (MISCELLANEOUS AMENDMENTS) (NO. 4) ACT, 2021.

**Electronic System
Application and
Issuance of Work
Permits Legalized.**

**Finality Period on
Work Permits
Increased from 5
to 8 Years.**

**Immigrant
Quota for
Investors
Increased
from 5 to 10**

The Amendment of Non-Citizens (Employment Regulation) Act, 2015 are analyzed as below:

Electronic System Application and Issuance of Work Permits Legalized.

For the past two months the work permits have been issued electronically however, the same was not provided for in the law. Probably that was to test the efficiency of the system (testing stage).

Now, through the amendment of section 10 of the Act, subsection (4) is added. The subsection provides that the Labour Commissioner after consultation with other relevant Authorities shall establish an Electronic System for Application and Issuance of Work Permits.

Electronic application for permits will save the trouble in which previously one was to travel to Dodoma (another Region) to seek for this service.

Finality Period of Permits Extended

Good news to Non-Citizens with intention to work in Tanzania. Initially, the finality period was 5 years, now through amendment of section 12 (4) of the Act, extended to 8 years.

This means for Non-Citizens who are about to complete the finality period have a chance to appeal against the finality condition stating reasonable grounds including the amended finality condition.

Note: Section 12 is also amended by adding subsection 7 which gives power to the Labour Commissioner to attach conditions on the following circumstances:

- a) Where the employer requested for a work permit on a limited duration;
- b) The Non-Citizen is about to complete the finality condition as per section 12(4) of the Act; or
- c) If he considers necessary in the implementation of the Act.

Increased Incentive on Immigrant Quota to Certified Investors

Section 19 of the Act has been repealed and replaced with the new section. Initially the law under this provision restricted employment of Non-Citizens to 5 for registered investors under Tanzania Investment Centre (TIC) and Export Processing Zone Authority (EPZA). Now through these amendments the Quota has been increased to 10 Non-Citizens.

Moreover, subsection 2 allows Investors upon satisfaction of the Labour Commissioner to employ other Non-Citizen as long as the one complies with the ratio of 1 Non-Citizen to 10 local employees.

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