

THE UNITED REPUBLIC OF TANZANIA
TANZANIA COMMUNICATIONS REGULATORY AUTHORITY



Citation and coming into force

This Code may be cited as the Tanzania Communications Regulatory Authority Code of Conduct, 2005 and shall come into force on the date of publication.

Application

The provisions of this Code shall apply to all the Authority's Members of the Board and Employees during their respective tenure of Office as members of the Board or Employees of the Authority as the case may be.

Upon expiry of their respective tenure of Office, each Member or Employee of the Authority shall continue to observe a conduct as per requirements of the provisions of Section 12 (2) (a) and (b) of the Tanzania Communications Regulatory Authority Act, No. 12 of 2003.

Fairness, Accountability, Integrity and related values

Any Person who is either a Member of the Board or an Employee, of the Authority shall observe and maintain the highest standards of propriety involving fairness, accountability, integrity, responsibility, objectivity and related values in relation to the performance of duties of the Authority.

No Person who is a Board Member or Employee of the Authority shall seek, through the performance of his duties, to personally gain any material benefits from any entity which is regulated by the Authority.

Undue and influenced decisions

Every Board Member or Employee of the Authority shall avoid making any decisions that might be suspected of undue influence by, or the hope or expectation of future employment with any particular firm or organisation whose business relates either to the provision of goods and/or services regulated by the Tanzania Communications Regulatory Authority or the provision of goods or services to the Tanzania Communications Regulatory Authority.

No Board member or Employee of the Authority, shall seek any consultancy, contracts, directorships or other employment, or acquire a direct financial interest, in a company regulated by the Authority during their terms of office.

Accountability to Stakeholders of regulated goods and services

Board Members and Employees of the authority are, jointly and severally, accountable to Government, Parliament, Providers and Consumers of the goods and services regulated by the Authority and the 3 general Public, for their stewardship of resources of the Authority including public funds, and the extent to which key performance targets and objectives of the authority have to be met.

In compliance of this principle of accountability, Board Members and Employees shall operate within the Authority's policy on transparency and best regulatory practice.

Conflict of Interests

No Board member or employee of the Authority shall acquire any pecuniary or other interest that Conflicts can conflict or is likely to conflict with performance of his duties as a member or employee of the Authority.

Where at any time any member or employee of the authority has a conflict of interest in relation to any matter that is before the Authority for consideration or determination; or any matter that is reasonably expected might come before the Authority for consideration or determination, such member or employee shall immediately disclose the conflict of interest and shall refrain from taking part in the consideration or determination of the matter.

Any Person who, without reasonable cause, fails to make declaration of his interest as required or who knowingly makes a declaration false or misleading in material particulars thereby affecting the decision or determination of the Authority shall be considered to have breached this Code.

Relationship with the press.

Only the Spokesperson of the Authority shall talk to Press on general issues relating to the Authority.

The Spokesperson of the Authority is the Director General or any other Person appointed by the Director General to act on his behalf for any particular issue.

Upon talking to the Press, the Spokesperson shall be accompanied by a Head of the Department of the Authority to which the subject matter of the talk relates or shall have been briefed by such Head of Department on such issues prior to meeting the Press.

Liability for Statements to the Press.

Liability for statements made by the Officers of the Authority within their respective authorizations shall be upon the Authority.

Gifts and Hospitality

In order to avoid compromising the Authority's corporate values, Board members and Employees of the Authority shall exercise due care in accepting gifts and hospitality from providers of the goods and services regulated by the Authority or from Contractors or Suppliers of any goods or services to the Authority.

The decision to accept hospitality is a matter of judgment and personal integrity. On reaching such decision a Board member or Employee of the Authority shall consider the following broad guidelines which may be of help in assessing the relative merits of accepting an invitation to any hospitality:

- (a)** Event-based hospitality that presents networking opportunities with the Authority's stakeholders, and which might therefore inform or promote the work of the Authority, is generally acceptable. An example would be attendance at an industry awards dinner.
- (b)** Work-related hospitality from a licensee/stakeholder is acceptable where it can be clearly seen to be of value to the Authority's work and the communications industry in general. A working lunch or dinner would be an example.
- (c)** Hospitality that benefits the recipient personally should be avoided if it is difficult to justify as being of benefit to the Authority, or if there is a risk of perceived bias or malign comment. An example of such questionable hospitality would be an offer of air-tickets for a holiday.

Failure to declare acceptance of any gift or hospitality as required under this section shall constitute a breach of this Code of conduct.

Attendance at conferences and stakeholder events

All invitations to attend or speak at industry or stakeholder events shall be accepted by the Authority through the Director General.

Any invitation to attend or speak at any industry or stakeholder conference/event received other than through the Director General shall be referred to the Director General for authorization of the attendance or speaking.

Due care shall be exercised to ensure that there is appropriate representation of the Authority at any event, and that the Authority's representatives are properly briefed in advance of attending or speaking at such events.

Any attendance of, or speaking at any event without the authorization required under this section shall constitute a breach of the Code.

Register of Interests

There shall be a Register of interests to be maintained by the Authority where entries shall be made of all Declarations of interests and acceptance of gifts and hospitalities.

The Register of Interests shall be kept by the Secretary to the Board.

Confidentiality

Board members and employees of the Authority shall observe the requirements of the confidentiality of information as provided for under the Tanzania communications regulatory authority act, No. 12 of 2003 (Section 24 of the Act) and, shall further treat as confidential any information declared “**confidential**” through any Board or Management Resolution. Any person who discloses confidential information otherwise than as authorized by the Authority commits a breach of the Code of conduct.

Requirements Upon Exit From Office

Upon termination of term of office, any Board member or Employee shall return to the Authority all property (including but not limited to documents and software, computer equipment, communications equipment, keys and security passes) belonging to the Authority.

Socialising with licensees/stakeholders

Board Members and Employees of the Authority shall avoid visiting and/or socialising with licensees/stakeholders during periods when a significant decision involving or affecting that Licensee/stakeholder is imminent.

About TCRA

The Tanzania Communications Regulatory Authority (TCRA) is an Independent government agency responsible for regulating the Communications and broadcasting sectors in Tanzania. It was established under the Tanzania Communications Regulatory Authority Act No.12 of 2003 which merged the Tanzania Communications Commission and the Tanzania Broadcasting Commission. TCRA became operational on 1st November, 2003 and has effectively taken over the functions of the two defunct commissions.

Specifically the Authority is responsible for enhancing the welfare of Tanzanians through:

- Promotion of effective competition and economic efficiency;
- Protecting the interests of consumers;
- Promoting the availability of regulated services;
- Licensing and enforcing license conditions of broadcasting, postal and telecommunication operators.
- Establishing standards for regulated goods and services
- Regulating rates and charges (tariffs);
- Managing the radio frequency spectrum;
- Monitoring the performance of the regulated sectors;
- Monitoring the implementation of ICT applications.
- Managing numbering resources

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