



THE UNITED REPUBLIC OF TANZANIA

# THE CIVIL SERVICE MANUAL

President's Office,  
The Civil Service Department,  
P.O. Box 2483,  
DAR ES SALAAM.



**THE UNITED REPUBLIC OF TANZANIA**

# **THE CIVIL SERVICE MANUAL**

**President's Office,  
The Civil Service Department,  
P.O. Box 2483,  
DAR ES SALAAM.**

# CONTENTS

Page

## CHAPTER I

INTRODUCTION .. .. .	1
Purpose of the Handbook .. .. .	1
The Role of the Civil Servant .. .. .	1
Organisation of the Government .. .. .	2

## CHAPTER II

CIVIL SERVICE LAWS, REGULATIONS AND ADMINISTRATIVE INSTRUCTIONS .. .. .	3
The Constitution of the United Republic 1977 .. .. .	3
The Civil Service Act, 1989 (Act No.16) .. .. .	3
The Civil Service Regulations, 1994 .. .. .	3
The Pensions Ordinance, Cap.371 .. .. .	4
The Provident Fund (Government Employees) Ordinance, Cap.51 .. .. .	4
Laws and Regulations for Other Branches of the Public Service .. .. .	4
Labour Laws .. .. .	5
Standing Orders for the Public Service .. .. .	6
Circulars .. .. .	6

**CHAPTER III**

APPOINTMENT TO THE SERVICE .. .. .	8
Categories of Appointment .. .. .	8
Appointing Authorities .. .. .	8
Certain Persons Not to be Appointed .. .. .	9
Probationary Appointments .. .. .	9

**CHAPTER IV**

CONDUCT OF BUSINESS .. .. .	10
Flow of Responsibility .. .. .	10
Flow of Loyalty .. .. .	11
Correspondence .. .. .	11
Telephone and Other Verbal Communication .. .. .	14
Restriction Regarding Disclosure of Information .. .. .	14

**CHAPTER V**

RULES OF CONDUCT .. .. .	17
General Rules of Conduct .. .. .	17
Code of Conduct .. .. .	17
Some Specific Prohibitions .. .. .	18
Disciplinary Authorities .. .. .	19
Disciplinary Proceedings .. .. .	19
Appeals .. .. .	20
Disciplinary Procedure for the Operational Service .. .. .	21

**CHAPTER VI**

REMUNERATIONS AND BENEFITS .. .. .	22
Salary Structure .. .. .	22
Fringe Benefits .. .. .	22
Transport and Travelling .. .. .	23
Medical Privileges .. .. .	23
Allowances .. .. .	24
Leave .. .. .	25
Housing .. .. .	25
Rent .. .. .	26
Advances .. .. .	26

**CHAPTER VII**

RETIREMENT BENEFITS .. .. .	27
Pension, Gratuities and Other Allowances .. .. .	27
Compassionate Gratuity .. .. .	30
Government Employees Provident Fund .. .. .	31
The National Provident Fund .. .. .	31
ANNEXTURES .. .. .	32

## CHAPTER I

### INTRODUCTION

#### **Purpose of the Handbook**

The Civil Service Handbook is intended for new entrants to the Permanent Establishment of the Civil Service. It serves as an orientation booklet by giving guidance on the laws, regulations and administrative procedures adhered to in handling personnel matters in the Civil Service. It also serves as an Employee Retirement Benefits Handbook because it gives guidance on the nature of benefits open to officers at the time of retirement from the Civil Service. Care has also been taken to include information on the role and place of the Civil Service in the structure of the Government because it is thought that a person joining the employment of the State ought to know at an early stage the environment of the job.

#### **The Role of the Civil Servant**

The Constitution of the United Republic of Tanzania (later in this Handbook referred to as "the Constitution") describes the role of Civil Servants as that of transacting the executive business of the Government (section 35). Now all the executive powers of the Government have been vested in the President vide section 34. The Constitution provides in section 33 that the President is Head of Government. The Constitution further provides for two Vice-Presidents who assist the President and for Ministers who together with the two Vice-Presidents form the Cabinet.

When we speak of the Government, for example when we say a matter is submitted to Government, it normally means it is submitted to the Cabinet, which is the principal advisory body of the President. But it may also mean that it is submitted directly to the President. The nature and circumstances of the matter determine where to take it. Officers should read the Constitution for more information.

### **Organisation of the Government**

Ministers are appointed by the President under section 55 of the Constitution and the President allocates functions/roles taken to Ministers including those which he may decide to retain to himself. The Organisational Structure of the Government which shows the main organs of the State has been appended to this Handbook as Annexure "A" for information.

## CHAPTER II

### **CIVIL SERVICE LAWS, REGULATIONS AND ADMINISTRATIVE INSTRUCTIONS**

#### **The Constitution of the United Republic 1977**

Section 36 of the Constitution, is specific on the Civil Service. It provides for powers to create and abolish Civil Service offices, powers to appoint persons to hold offices so created, powers to control the discipline of persons appointed to offices and powers to remove, dismiss or terminate their services.

#### **The Civil Service Act, 1989 (Act No. 16)**

The Civil Service Act, 1989 implements, so to say, the provisions of section 36 of the Constitution.

#### **The Civil Service Regulations, 1994 (GN ...../94)**

The Civil Service Regulations, 1993 have been made by the President under powers provided for in the Civil Service Act, 1989 (No.16/89). They make detailed provisions on constitution and abolition of offices, appointments, removal from office, dismissal, termination of appointments and on rules of conduct and disciplinary procedures. Officers should be very familiar with these regulations because they are important in handling day to day establishment matters.



## **The Pensions Ordinance, Cap 371**

The Pensions Ordinance deals with pensions, gratuities and other allowances for Civil Servants. Chapter VII gives details on the benefits available under this ordinance.

## **The Provident Fund (Government Employees) Ordinance, Cap 51**

This law provides for a Provident Fund for Government Employees. The main contributors to this fund were members of the Government Subordinate Service. These are now required by law to contribute to the National Provident Fund with the result that the Government Employees Provident Fund is dwindling. Government subordinate service includes all operatives in the industrial and general branches of the service. They are normally referred to as the Operational Service. All other officers in the Government are senior to the subordinate service.

## **Laws and Regulations for Other Branches of the Public Service**

- (i) The Judicial Service is governed by the Judicial Service Act, 1962 (Cap 509) and Regulations made under it.
- (ii) The Police Force and Prisons Service are governed by the Police Force and Prisons Service Commission Act, 1990 (No.8) and the Regulations made under it.

- (iii) The Teachers Service is governed by the Teachers Service Commission Act, 1989 (No 1) and the Regulations made under it.
- (iv) The Local Government Service is governed by the Local Government Service Act, 1982, the Local Government Service Scheme, 1982 (GN 139/82) and the Regulations made under the Act and/or the scheme.

### **Labour Laws**

Most Labour Laws do not apply to Senior Officers of the Government. They do, however invariably apply to the subordinate service. The most common are listed below.

- (i) The Employment Ordinance, Cap 366.
- (ii) The Security of Employment Act, 1964 (Cap 574) (Details on disciplinary procedures under this law will be found in Chapter V).
- (iii) The Severance Allowance Act, 1962 (Cap 487).
- (iv) The National Provident Fund Act, 1964 (Cap 564).
- (v) The Industrial Court of Tanzania Act, 1967 (No 41).

## **Standing Orders for the Public Service**

Standing Orders are published under the authority of the Government as the employer. They cover areas such as procedures for the conduct of government business, official correspondence, appointments, emoluments, and rules of conduct. They also cover training, leave, civil service examinations, transport and travelling, medical privileges, allowances, housing and terms of service of the subordinate service. They cover almost everything. Officers should make sure that they use Standing Orders every time they need an answer to service problems. Because of their importance, this Handbook has made extensive reference to Standing Orders in Chapters IV and VI. Officers are advised to study those references closely. The Standing Orders used in writing this Handbook are Standing Orders First Edition. The Handbook will be revised when the Second Edition now being drafted is approved and published.

## **Circulars**

Circulars which apply to the whole Civil Service are issued as follows:

- (i) Presidential Circulars; these are issued by the President
- (ii) Government Circulars; these are issued by the Prime Minister and First Vice-President

- (iii) Treasury Circulars; these are issued by the Principal Secretary to the Treasury
- (iv) Staff Circulars; these are issued by the Principal Secretary (Establishments) and they normally review, add to or clarify Standing Orders.
- (v) Establishment Circulars (now called Manpower Development Circulars); these are also issued by the Principal Secretary (Establishments)

## CHAPTER III

### APPOINTMENT TO THE SERVICE

#### Categories of Appointment

Appointments to the Civil Service are differentiated into the following categories:

- (i) those on permanent and pensionable terms
- (ii) those on agreement (i.e. Government Employees' Provident Fund)
- (iii) those on Contract
- (iv) those on Operational Service
- (v) those on temporary terms
- (vi) those on daily pay.

#### Appointing Authorities

Appointment to the Service may be made by appointing authorities. Appointing Authorities have been listed under section 2 of the Civil Service Act. They include the Special Committee on Employment in the Government established for every Ministry, Independent Department and Region, the Civil Service Commission and the President. Appointment to other branches of the public service is made in accordance with the relevant laws listed in Chapter II.

## **Certain persons not to be appointed**

Civil Service Regulation 29 forbids the appointment of a person who has been convicted of a criminal offence involving moral turpitude or who has been dismissed from the Service previously or a person who is not a citizen of the United Republic of Tanzania, without the prior sanction of the President.

## **Probationary Appointments**

All persons appointed on permanent and pensionable terms will be required to serve a probationary period of two years. This is a requirement of regulation 31 of the Civil Service Regulations. The purpose of a probationary period is to ensure, that both Government and the officer, have a chance to review the position of not only those guilty of misconduct but also those who for temperamental or any other reasons are not suited to the public service so that they are eliminated at an early stage before they have seriously prejudiced their chances of obtaining other permanent employment. Probationary appointments are also covered under Standing Orders D.34 to D.43.

## CHAPTER IV

### CONDUCT OF BUSINESS

#### **Flow of Responsibility**

The Service is hierarchical in that its members are grouped and arranged according to higher and lower ranks. The Principal Secretary, Head of Independent Department and Regional Development Director are the chief executives in the Ministry, Independent Department and Region. Likewise below them are Heads of Divisions and further down Section Heads. The supporting staff, administrative, professional and technical in the Ministry, Independent Department and Region comprise senior, middle level and junior officers.

The chief executive, namely the Principal Secretary, Head of Independent Department and Regional Development Director is accountable for the functioning of his Ministry, Independent Department and Region and so are the Divisional and Section Heads in respect of the areas for which they are responsible. The ladder goes down to officers in charge of areas of various descriptions, supervisors, schedule officers and so on. Everyone of them is accountable for the efficient performance of work in his area of responsibility.

## **Flow of Loyalty**

While responsibility flows downwards with the result that the most senior officer is accountable for the actions of all the officers below him, loyalty flows upwards. The most junior officer is supposed to remain loyal to the senior officer upwards in the hierarchy. We have seen in Chapter I that Civil Servants in one way or another transact the business of the President. So with regard to accountability, the President is accountable to the people for the functioning of the whole Civil Service, that is for the performance standards of every officer, senior or junior likewise all the officers, from the most junior upwards have to remain loyal to the President through loyalty to the officers above them.

Every Minister is responsible for the affairs of his Ministry and every Minister is a Member of the Cabinet. As a result of this arrangement the Minister serves as a link between officers of the ministry and the President, Parliament and the people. In other words the minister is accountable to the President, Parliament and the people for matters pertaining to the ministry. Likewise loyalty of Civil Servants in the ministry flows the Minister and to the President.

## **Correspondence**

- (a) All official writings should be brief and concise which should be well considered in substance, and expressed in a tone of courtesy and with careful avoidance of any expression of personal feeling. You will learn that the bulk of communication in the Government is written mostly through letters. Standing



Orders C.1 and C.2 dwell at length on correspondence. Officers particularly those who are new to the service are advised to be conversant with relevant Standing Orders on official correspondence if they are to understand the standards that official correspondences ought to meet.

- (b) Officers should know the appropriate titles or honorific prefixes of the person to whom a letter or parcel is addressed.
- (c) All forms of official correspondence should be in Kiswahili except where it is known that the addressee does not understand it then English may be used.

### **Correspondence between Government offices**

- (a) Brief letters, provided they clearly carry intended message, are preferred to lengthy ones. Officers should learn to be brief and concise in their official correspondences.
- (b) Brief and Concise letter, inter alia, should have:-
  - (i) A Heading;
  - (ii) Brief outline of the matter or subject;
  - (iii) Salient points to which addressee's attention should be drawn;
  - (iv) Reference to any relevant decision on similar or related subject.

- (c) Reference to any authority of law, previous ruling or precedent which may have bearing on the subject.
- (d) Paragraphs should be numbered consecutively.
- (e) **Typewritten communications are preferred to hand-written ones. If, however, the subject is of a strictly confidential nature, the communication may be handwritten at the writer's discretion.**
- (f) Correspondences should be dealt with immediately upon their receipt. Officers should acknowledge receipt of correspondences when it is seen that an immediate reply cannot be made;
- (g) **Officers must address Government through their senior officers. This procedure is in accordance with the flow of responsibility and loyalty discussed above.**
- (h) Correspondence with recommendations on officers should not be copied to the officers concerned. This precaution has relevance to secrecy in the Civil Service communication which will be discussed later in this Chapter. Likewise since papers relating personally to officers are kept in "personal" files, officers may not have access to their "personal" files. The reason is again secrecy.

## **Telephone and Other Verbal Communication**

For any official information communicated or received by telephone, a precis should be made of its content. In the case of decisions the precis of them should be confirmed later in writing. The precis should be kept in the appropriate file relating to the matter under discussion.

The procedure of keeping a precis of what is communicated by telephone applies also to oral directions. Officers should bear in mind that persons like the President, Minister and Regional Commissioners when on tours give oral directions to officers. Officers to whom such directions are given have the responsibility to commit such directions in writing and forward the same to respective Principal Secretary or Regional Development Director concerned for confirmation. Officers should remember at all times that it is their duty to execute the wishes of the Ministers or the President where these have been declared be it orally, by telephone or through written communication. Officers are advised to go through Standing Orders Section "B" under which directions on the use of telephone and verbal communication have been given.

## **Restriction regarding disclosure of information**

Classified Correspondence is an information to which access is restricted to certain authorised persons. Section (5) of the National Security Act, 1970 provides as follows:

- (1) *Any person who discloses any classified matter to any person other than a person to whom he is authorized to disclose it or to whom it is in the interest of the United Republic his duty to disclose it shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding twenty years.*
- (2) *In a prosecution for disclosure of a classified matter, it shall be no defence for the accused person to prove that at the time of communicating classified matter he did not know and could not reasonably have known that it was classified matter".*

Officers who join the Service must sign a declaration to the effect that they will comply with the provisions of the National Security Act 1970. Classified matters have the following classifications:-

- |       |                     |
|-------|---------------------|
| (i)   | <b>CONFIDENTIAL</b> |
| (ii)  | <b>SECRET</b>       |
| (iii) | <b>TOP SECRET</b>   |

Administrative provisions with regard to the handling of classified matters are found in Standing Order C.10. The Standing Order requires all officers whose duties often allow them access to classified material to be conversant with Government Security Orders. While any officer can have access to Standing Orders, Government Security Orders are classified material and hence restricted to officers who have been designated to handle classified matters.

There is an administrative arrangement for permitting officers to handle classified material which is called "VETTING". Vetting is the process of careful examination of an officer in order to be considered for permission to handle classified matter. For this, officers who have not been vetted should not handle classified matters. Officers in authority, have an obligation to see to it that officers are vetted before they can handle classified matters.

## CHAPTER V

### RULES OF CONDUCT

#### General Rules of Conduct

Civil Servants must be effective, efficient, loyal and of good conduct. The bench-mark of loyalty and good conduct is integrity. Integrity concerns values, and ethics. It is about moral unity or wholeness as manifested in the character of individuals because the public as Government's customers would like to witness Civil Servants notion of honesty, diligence and efficiency. Good conduct, diligence, integrity are also the bench-mark of Civil Service culture. Civil Service culture refers to administrative values, ethics and behaviour which because it expresses a nation's fundamental character of culture, is ideally linked not only to our current nation's vision but also to its future desired direction, its administrative style, philosophy and values into which its administrators should be cast or moulded.

#### Code of Conduct

Civil Servants have to conform to a code of conduct which has been spelt out in the second schedule to the Civil Service Regulations. The code embodies the basic ethics of the Civil Service discussed in the introduction to this Chapter. Because of their importance, the provisions of the code of conduct have been annexed to this Handbook as annexure "B" for ease of reference.

## **Some Specific Prohibitions**

The code of conduct, among other things, prohibits the following:

- (i) The engagement of officers in private interests which would impede their devotion to Government business, or which in a way would conflict or be inconsistent with the interest of the government.
- (ii) Absence from duty without leave or reasonable excuse.
- (iii) Refusal or failure to comply with posting order.
- (iv) Any form of non-compliance amounting to insubordination.
- (v) Putting Civil Service image into disrepute because of the failure on the part of the Civil Servant to perform his duties satisfactorily.

Breach of the provisions of the Code of Conduct constitutes a disciplinary offence and may lead to a disciplinary action against the officer concerned. The person responsible for disciplinary control of officers is the competent authority for deciding on the type and degree of behaviour that warrants disciplinary action.

## **Disciplinary Authorities**

The Civil Service Act, 1969 groups officers on the basis of salary scales for the purpose of disciplinary control. Officers, therefore, fall under the disciplinary authority of the President, the Chief Secretary, the Principal Secretary, Head of Independent Department and Regional Development Director or Head of Division depending on the salary scale corresponding to the post held by the officer.

## **Disciplinary proceedings**

Disciplinary procedure means a set of actions necessary for instituting a disciplinary action against an officer in the Civil Service for an alleged misconduct. Disciplinary proceedings may be either formal or summary. The Civil Service Act, 1989 (Section 19) rules out the dismissal or termination of an officer's appointment unless the officer has been charged, given an adequate opportunity to answer the charges and an enquiry into alleged misconduct has to be held. These actions amount to formal disciplinary proceedings. Regulation 47 of the Civil Service Regulations, 1994 provides that dismissal, reduction in salary and rank are punishments which cannot be meted out to an officer excepted as result of formal disciplinary procedures. Lesser offences or rather misconduct which warrant punishments. Other than dismissal reduction the salary or rank require non-formal proceedings referred to as "Summary Proceedings" (Regulation 48).



## Appeals

An appeal is normally a request to a superior disciplinary authority by an aggrieved officer against the judgement or to change, rescind or reduce punishment passed on the officer by the disciplinary authority.

According to Section 20 of the Civil Service Act, 1989:-

- (i) Appeals from aggrieved officers whose disciplinary authority is the Head of Division go to the Special Committee on Appointments (KAMUS).
- (ii) Appeals from aggrieved officers whose disciplinary authority is the Principal Secretary/Head of Independent Department and Regional Development Director go to the Civil Service Commission.
- (iii) Appeals from aggrieved officers whose disciplinary authority is the Chief Secretary, go to the Civil Service Commission.
- (iv) Appeals in respect of the decision of KAMUS go to the Civil Service Commission.
- (v) Appeals in respect of the decisions of the Civil Service Commission go to the President.

## **Disciplinary Procedure for the Operational Service**

The procedures regarding disciplinary control in respect of the subordinate service of the Government which is normally referred to as the Operational Service is governed by the Security of Employment Act, 1964, Cap.574. Employers may not, summarily dismiss or, by way of punishment, make any deduction from the wages of such employees except as a result of following set of actions under Disciplinary Code prescribed by the Act.

An officer who is summarily dismissed or punished by deduction from salary, may within prescribed time frame appeal to a Conciliation Board and finally to the Minister responsible for labour. Reference to the Conciliation Board and to the Minister may also be made where an employer terminates the employment of an employee by making submissions which, according to the employee, were manifestly unreasonable and without conscience at all about rightness (Section 40A of the Security of Employment Act as amended by Act No.1 of 1975).

Officers should be conversant with the Security of Employment Act, 1964 and in particular Part III as it deals with the handling of disciplinary matters in respect of Subordinate Staff. The Security of Employment (Disciplinary Proceedings) Regulations, 1965 (GN.98/55) should also be brought to the attention of officers as various forms that must be filled out when disciplinary action is being instituted and when an appeal is being made have been annexed to the regulations. With regard to the Disciplinary Code, the Code has been appended to this Handbook as Annexure "C" for readers' ease of reference.

## CHAPTER VI

### REMUNERATIONS AND BENEFITS

#### Salary Structure

This is an arrangement governing different pay levels/scales in the Civil Service. The structure is never static but subject to review from time to time depending inter alia on the state of the country's economy. The current salary structure has separate scales for the Operational Service and Pensionable Service. Select professional cadres have separate scales and there is also a separate scale for top executives, namely, those entrusted with administrative responsibility from the level of Director upwards.

#### Fringe Benefits

For the purpose of this Handbook the term fringe benefits includes all benefits whether with financial gain or otherwise, which are provided to Civil Servants by the Government but do not include salary or retirement benefits. Fringe benefits have been invariably provided for in Standing Orders and in Staff and Manpower Development Circulars. A list of fringe benefits is indicated below with the appropriate Standing Orders.

## **Transport and travelling**

An officer may be granted under section J of Standing Orders transport at Government expense for himself and/or members of his family on -

- (i) First appointment to the Service.
- (ii) Transfer from one station to another.
- (iii) Termination of Service.
- (iv) Dismissal.
- (v) Convalescent leave, medical and dental treatment .
- (vi) Annual leave.
- (vii) The family of a deceased officer may also be granted transport to their home at Government expense.
- (viii) The officer's serious illness requiring treatment elsewhere other than at hospital within his work-station.

## **Medical Privileges**

Medical, surgical and dental attention may be given to an officer where it accords with the Standing Orders. An officer in need of medical treatment must obtain a sick-sheet from the supervisor which the officer should take to the medical officer. Where a medical officer excuses an officer approved absence from work must be reported by the officer to the Principal Secretary/Head of Independent Department/Regional Development Director. Approved absence from duty will be shown on the officers sick sheet.

Sick leave will be permitted on the basis of approved sick periods. For the first six (6) months the officer will continue to receive the full salary/pay. For the next six (6) months the officer will be on half-pay where a need arises for leave in excess of one year, then consideration will be given to the termination of an officer's appointment on medical or ill-health grounds.

All matters in the Civil Service relating to medical privileges are provided for in the Section "K" of the Standing Orders. Officers should be encouraged to be conversant with these privileges.

### **Allowances**

An allowance is something especially money given to a Civil Servant for special purpose. The main categories of allowances payable to officers in the Civil Service according to section "L" of Standing Orders are listed below:

- (i) Subsistence Allowance
- (ii) Disturbance Allowance
- (iii) Entertainment Allowance
- (iv) Insurance Allowance
- (v) Acting Allowance
- (vi) Special Duty Allowance
- (vii) Outfit Allowance
- (viii) Uniform Allowance
- (ix) Overtime Allowance
- (x) Responsibility Allowance
- (xi) Skills Allowance
- (xii) Fuel Allowance
- (xiii) Kilometer Allowance (Mileage Allowance)

- (xiv) Bus Fare Allowance
- (xv) Luggage Allowance
- (xvi) Housing Maintenance Allowance
- (xvii) Rent Assistance
- (xviii) Incidental Expenses
- (xix) Teaching Allowance
- (xx) Training Allowance
- (xxi) Free facilities for top Executives

Allowances may be introduced by Staff or Manpower Development Circulars. Likewise the existing ones may be discontinued by way of circulars.

## **Leave**

All officers are eligible for grant of 28 days leave a year in terms of Section "H" of Standing Orders. Leave should normally be taken every year. Leave accumulated over two years should be taken in the third year. If it cannot be taken, it should be cleared by paying the officer a cash equivalent calculated on the basis of the officers salary.

Leave without pay may be approved by the Principal Secretary (Establishments) if it is in the public interest to grant it.

## **Housing**

Whereas it is the wish of the government to provide accommodation to its officers, it accepts responsibility for providing housing in accordance with criteria listed below:

- (i) Expatriates whose terms of engagement include entitlement to an accommodation;
- (ii) Barracks or Institutional accommodation;
- (iii) Top executives whose terms of the offices to which they are appointed include entitlement to free housing;
- (iv) Medical officers;
- (v) Tied housing for duty posts;
- (vi) Housing in isolated or remote areas where suitable accommodation is not available for renting.

According to section "M" of Standing Orders officers are either entitled to housing or merely eligible. Government has an obligation to provide housing to entitled officers, nevertheless, eligible officers may be considered for government accommodation but without an obligation on the part of the Government.

### **Rent**

Except for officers entitled to free housing, rent for Government housing will be charged according to a percentage of the officers salary.

### **Advances**

An advance usually refers to money paid to an employee before the date on which such payment is due or as a loan. Payment of advances to employees is normally made for various purposes such as advances of salary or for the purchase of a specific item.

## CHAPTER VII

### RETIREMENT BENEFITS

#### **Pension, Gratuities and Other Allowances**

Pension is payable under the Pensions Ordinance to officers engaged in the Civil Service. Payment of pension is not automatic, it is subject to satisfactory service on the part of the officer.

Pension is normally payable on retirement on grounds given under section 8 of the Ordinance which include:

- (i) On attainment of the age of voluntary or compulsory retirement, currently the voluntary retirement age is 50 while that of compulsory retirement is 55.
- (ii) On abolition of a pensionable office. A pension is payable if the office one holds is abolished.
- (iii) On compulsory retirement on the basis of reorganisation of Department for the purpose of effecting efficiency.
- (iv) On the basis of ill-health. Retirement on grounds of ill-health will be effected after a medical board has been convened.



- (v) In the case of removal in the public interest; the President is empowered to remove a Civil Servant from office in the public interest. That is what is normally referred to as retirement in the public interest.
- (vi) On retirement with the consent of the President.
- (vii) Police and Prison Officers are permitted by the Police and Prison Service Commission Act, 1990 (No.8) to retire when they have a service of 25 years to their credit. This provision is read with section 8 of the Pensions Ordinance as one of the grounds for payment of a pension.

An exception to these normal requirements for pension payment is given by Section 9A of the Ordinance. Under this section, the Principal Secretary to the President, who is the appropriate authority, may allow the payment of a pension to an officer dismissed from the public service, if such payment is found just and proper.

Pension is normally paid to an officer when the officer has served in the Civil Service for not less than ten (10) years. If the period is less than ten years, a gratuity will be paid to the officer instead of pension. The formula for payment of pension is based on the factor 1/540. A pension factor is a measure or formula upon which a particular pension scheme may be pegged in proportion to the retiring salary and time of service in years or months for the purposes of calculating a schemes pension benefit. The

conventional or common pension factors are 1/40 years or 1/480 months, 1/45 years or 1/540 months, 1/50 years or 1/600 months, 1/55 years or 1/660 months, 1/60 years or 1/720 months and 1/80 years or 1/960 months.

The higher the pension factor, the lower is the pension benefit. On the basis of the common factors used a factor of 1/540 is a high factor. This is how pension is calculated using this factor.

$$\text{Pension Per Annum} = \frac{\text{Number of months served} \times \text{Annual Salary}}{540}$$

However, the law allows half of the annual pension to be commuted and paid as a lump sum at the time of retirement. The lump sum amount is called commuted pension gratuity. Once half the pension has been commuted into a lump sum and paid, only the remaining half can be paid for life. It is called "reduced pension".

Commutated pension gratuity is calculated as follows:

$$\text{Commutated pension gratuity} = \frac{\text{Annual pension}}{2} \times 15\frac{1}{2}$$

The factor 15½ represents 15½ years. What is paid out is therefore half pension for 15½ years.

Because half the annual pension has been paid out in the form of commuted pension gratuity the reduced annual pension will be Annual pension

2

This reduced annual pension will be paid monthly and therefore it is calculated as follows:

$$\text{Monthly pension} = \frac{\text{Annual pension}}{2} \div 12$$

Where the period of service is less than 10 years the officer will be paid a gratuity to be calculated as follows:

- (i) the annual pension will be calculated in the same way as for service of ten years or more
- (ii) the result will be multiplied by 5 to give the gratuity amount.

### **Compassionate gratuity**

This is a benefit payable under regulation 24 of the Pensions Regulations. It is payable to officers who were not confirmed in their pensionable appointments and to officers appointed on non-pensionable terms provided they have served for a minimum of 7 years.

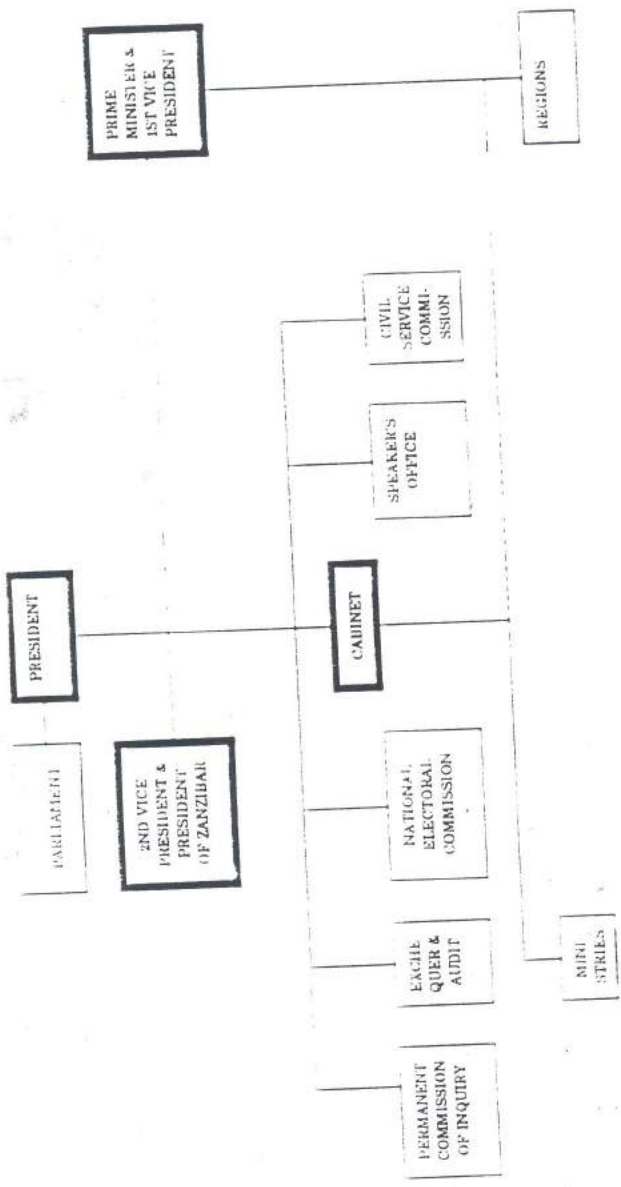
## **Government Employees Provident Fund**

This Fund has been created by the Provident Fund (Government Employees) Ordinance, Cap. 51. Members of this Fund make contributions through deductions from their salaries. Government contributes an amount as "bonus". At the end of the day both contributions are paid over to the employee together with interest.

## **The National Provident Fund**

Members of the Operational Service in the Government contribute to the National Provident Fund. This Fund has been created by The National Provident Fund Act, 1964 (cap 564). Members of the Fund contribute a percentage of their salaries, the employers pay into the Fund an equal amount as Employer's contribution. Finally payment to employee will include interest.

THE UNITED REPUBLIC OF TANZANIA  
ORGANIZATIONAL STRUCTURE OF THE GOVERNMENT



## ANNEXTURE "B"

### CODE OF CONDUCT

#### A. PRIVATE INTERESTS

1. No Public officer shall engage in any occupation or undertaking outside official duties which would impede the officer's attendance at any time for government business.
2. No Public officer may at any time engage in any activity which would in any way impair the official's usefulness as a public officer.
3. No Public officer may engage in any occupation or undertaking which might in any way conflict with interest of the officer's organisation or be inconsistent with the officer's position as a public servant.

#### B. DEVOTION TO DUTY

Officers must appreciate that they hold their appointments on the understanding that they are duty bound to comply with any directions regarding:-

1. Nature of Work: officers are required to discharge not only the duties of the post to which they are appointed but also any other duties which they may be called upon to perform in the interest of the service.

2. Posting to Stations: the station to which an officer is posted, whether on first appointment or subsequently, whether the officer is married or single is determined by the requirement of the service.
3. Office hours: while government offices will be open to the public for business during specified hours officers may be detained beyond official working hours and may be required to work on Saturdays, Sundays and Public Holidays if the exigencies of service demand.
4. Absence from duty: an officer shall not be absent from duty without leave or reasonable cause.
5. Private agencies: no officer may undertake any private agency in any matter connected with the exercise of the officer's public duties.

C. PECUNIARY EMBARRASSMENT:

Public officers should appreciate that:-

1. Serious pecuniary embarrassment, from whatever cause, will be regarded as necessarily impairing the efficiency of an officer.

2. Pecuniary embarrassment involved in the lending and borrowing of money at usurious rates of interest will be regarded as affecting both the respectability of the service and the trustworthiness of the public officer.

D. DISCLOSURE OF INFORMATION:

A public officer should understand that:-

1. good security is an essential factor in the efficient working of government.
2. official information obtained or to which the officer has access owing to the officer's position may not be disclosed without authority.
3. it is prohibited to take copies of official minutes or correspondence for private purpose even though such papers may pass through the officer's hands in the course of official duties.
4. it is forbidden, except in the proper course of duties or with authority, to make communications to the press or to give broadcast talks on questions of government policy or business.
5. not everybody can handle classified material. Therefore any envelope marked confidential, secret, top secret should immediately be sent to the Confidential Registry.



E. PRESENTS AND GIFTS:

Public officers should understand that acceptance by an officer of valuable presents whether in the form of money, goods or other personal benefits is prohibited because it is bound to affect the officer's reputation for impartiality in the community in which the officer lives and is likely to affect the public confidence in the complete integrity of the service.

F. POLITICAL AND OTHER INFLUENCES:

A public officer should appreciate that:-

1. it is prohibited to seek political influence with a view to obtaining advancement in the public service;
2. it is prohibited to seek political intervention in some matter affecting the officer personally which is in dispute between the officer and the government;
3. it is prohibited to seek political influence with a view to further any end which does not form part of government's accepted policy;
4. it is prohibited to influence the members or staff of a service commission or committee;

G. POLITICAL PARTICIPATION:

In view of the historical development of Tanzania Politics and the need for the enjoyment of the complete confidence of the public:

- 1(a) members of the Armed Forces are barred from participating in politics. For the purposes of participation in politics members of the Armed Forces include:
  - (i) men and officers of the Defence Forces and of the National Service;
  - (ii) Police Officers;
  - (iii) Prison Officers.
- (b) Judges and Magistrates are also barred from participating in politics.
2. Other public officers are allowed limited participation in politics and have been divided into two groups namely "A" and "B".
  - (a) Group "A" is comprised of:-
    - (i) in the case of Central Government Ministries and Independent Departments, from the rank of Director or Commissioner and above and for Training Institutions, the rank of Principal and above. In the case of regions, the Regional Development Director and those officers who are his immediate policy advisers. In the District, the District Officer;

- (ii) in the case of Local Authorities, the rank of Director;
- (iii) in the case of Parastatal Organisations, the rank of Directors and Managing Directors, Manager, Deputy General Manager and General Manager, and for Training Institutions, the rank of Principal and above.
- (iv) it is believed that the Chief Secretary would be the proper authority to review the list of Group "A" officers when that is found necessary.
- (b) Group "B" is comprised of all other public officers.

3. Group "A" Participation:

- (a) An officer in this group may:-
  - (i) be a member of a political party;
  - (ii) vote in Party, Presidential, Parliamentary or Local Authorities elections;
  - (iii) attend political meetings as a passive listener;
  - (iv) pay party contributions.

- (b) An officer in this group may not:-
- (i) contest a position in a political party; Provided that before any officer contests a position in any political party must resign or if the officer qualifies for retirement from the public service under the provisions of the Pensions Ordinance the officer may retire;
  - (ii) stand for election to the national Assembly or to a Local Government body. Under Section 72 of the Constitution the service of a public officer in this group who stands for election will cease on the day the officer becomes a candidate. A public officer should resign before standing for election or if the officer qualifies for retirement from the public service under the provisions of the Pensions Ordinance the officer may retire. If the officer does not resign or retire the officer will be deemed to have resigned or retired as the case may be on the date the officer becomes a candidate;
  - (iii) indicate support for a particular candidate or a political party standing for election or sign nomination papers of a candidate standing for election;
  - (iv) discuss politics in public;
  - (v) be employed by a political party on whatever terms;

- (vi) express views or comments in writing or through interview with the press on political matters;
- (vii) persuade any person to join a political party or to pay party contributions;
- (viii) participate in political rallies;
- (ix) participate in political activities at work places or while dressed in official uniform;
- (x) dress in party uniforms or wear party medals.

4. Group "B" Participation:

- (a) An officer in this group may:-
  - (i) be a member of a political party;
  - (ii) contest a position in a political party;
  - (iii) stand for election to the National Assembly or to a Local Government body on the basis of leave without pay;
  - (iv) vote in Party, Presidential, Parliamentary or Local Authorities elections;
  - (v) indicate support for a particular candidate or a political party standing for election or sign nomination papers of a candidate standing for election;
  - (vi) while outside the work place persuade any person to join a political party or to pay party contributions;

- (vii) participate in political meetings and express personal views;
- (viii) participate in party rallies provided they are legal;
- (ix) while outside the work place, dress in party uniforms or wear party medals.

(b) An officer in this group may not:-

- (i) participate in political activities at work places or while dressed in official uniform;
- (ii) dress in party uniforms or wear medals at place of work;
- (iii) be employed by a political party on whatever terms.

**DISCIPLINARY CODE**Section 19 and 20)

THE DISCIPLINARY CODE	PERMISSIBLE PENALTIES				
	1st breach	2nd breach	3rd breach	4th breach	5th and subsequent breach
Where the employee:-					
(a) is late for work;	written warning	Reprimand	Severe reprimand	Fine	Summary dismissal
(b) is absent from his work-place during working hours without his employer's permission;	written warning	Reprimand	Severe reprimand	Fine	Summary dismissal
	1st breach	2nd breach	3rd breach	4th and subsequent breach	
(c) is absent from work without — reasonable cause	Fine	Fine	Fine	Summary dismissal	
(d) fails to complete his task;	Written warning	Reprimand	Fine	Summary dismissal	
(e) neglects his duties but not so as to endanger the safety of persons or property;	Reprimand	Severe reprimand	Fine	Summary dismissal	

(f) fails to comply with the employer's instructions relating to work (including, without prejudice to the generality of the foregoing, those designed to increase efficiency of output);	Reprimand	Severe reprimand	Fine	Summary dismissal
Any breach				
(g) wilfully damages, misuses or misappropriates buildings, machinery, raw materials, other property or tools or any object used in connection with his work;				Summary dismissal
<b>THE DISCIPLINARY CODE</b>				<b>PERMISSIBLE PENALTIES</b>
Any breach				
(h) neglects or fails to carry out his duties so as to endanger himself or others or property or neglects or fails to comply with any instructions relating to safety or welfare;				Summary dismissal
(i) commits any unjustifiable assault or brawls at the place or in the course of work;				Summary dismissal
(j) commits an unjustifiable assault, whether or not at his place of work, on his employer, a member of his employer's immediate family or a member of the management staff.				Summary dismissal



(k) commits any serious or repeated act of insubordination at the employer's premises or during working hours against the employer, or members of the management staff.	Summary dismissal
(l) is unable to perform his work efficiently by reason of the use of alcohol.	Summary dismissal
(m) is unable to perform his work efficiently by reason of the improper use of drugs;	Summary dismissal
(n) is convicted by any court of any unlawful act at the place of, or in the course of, work unless such employee successfully appeals against such conviction;	Summary dismissal
(o) is guilty of an immoral act at the place of or in the course of work;	Summary dismissal
(p) smokes in a place which the employer has forbidden for reasons of safety;	Summary dismissal
(q) is convicted by a court of an offence involving fraud or dishonesty, or for which he was sentenced to imprisonment, unless such employee successfully appeals against such conviction;	Summary dismissal
(r) without due authority discloses or conveys any information or any technical, trade or confidential matter to the prejudice of his employer;	Summary dismissal
(s) being employed in the service of the United Republic, commits any act which is against public interest.	Summary dismissal

## **FOREWORD**

The Civil Service is rule-bound. There has accordingly been a need for a publication which sets guidance to officers in a pointer form on the laws, regulations and various administrative orders and instructions used in the Civil Service. The Civil Service Handbook fulfils this need.

The information given in the Handbook about the service, its laws, standing orders, disciplinary procedures and others is adequate as an introduction to new comers who join the Civil Service, and for officers who do not ordinarily handle establishment matters. More important, the Handbook acts as an inducement to officers to read further into the laws, regulations standing orders and circulars provided in the more comprehensive documents to search for answers to Civil Service problems.

Every officer must know the importance of applying laws and regulations and the existence of Standing Orders and Circulars and their application in Civil Service administration because they embody officers' rights and obligations. Officers vested with the duty to apply these laws, regulations, standing orders and circulars must at all times have access to them and must be ahead in knowing what they are for.

I commend this work.

C.M. Nyirabu  
**PRINCIPAL SECRETARY (ESTABLISHMENTS)**

**DAR ES SALAAM**  
**APRIL, 1994**

