

Tanzania
An overview of the Immigration Landscape



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INTRODUCTION

The United Republic of Tanzania (Kiswahili: Jamhuri ya Muungano wa Tanzania), is a country in East Africa bordered by Kenya and Uganda to the north, Rwanda, Burundi and the Democratic Republic of the Congo to the west, and Zambia, Malawi and Mozambique to the south. To the east it borders the Indian Ocean.

Tanzania has unparalleled wildlife and natural resources. Perched on the crossroads of many of the extensive biomes that cover Africa, it also boasts the highest and lowest points on the continent; the top of Mt. Kilimanjaro and the bottom of Lake Tanganyika. Whilst recognized for its unmatched concentrations of large herbivores, the remarkable diversity of habitats from coral reefs to montane forests all combine to make Tanzania the most biologically rich nation in mainland Africa.

This manual/brochure aims to provide a brief overview of the immigration landscape of Tanzania.

ABOUT IBN

IBN Immigration Solutions provides a full range of immigration services for Southern Africa. With our professional and trusted network of partners on the ground, we have the pulse on policy issues and the practical reality which governs immigration rules & regulations.

IBN has been in the industry for nearly 2 decades. The company holds its headquarters in Cape Town and boasts 3 offices; in Johannesburg, Stellenbosch and Windhoek (Namibia). Its team consists of over 20 caring and dedicated immigration professionals prepared to go the extra mile to find the best immigration solution for you.

OUR SERVICES FOR TANZANIA

Our team of immigration specialists will facilitate your immigration into Tanzania. We provide first class service and comprehensive, expert advice – to global corporations as well as individuals. The IBN immigration team will offer tailored solutions for all your immigration needs for Tanzania with the assistance of our professional and trustworthy team on the ground.

TANZANIA'S IMMIGRATION LANDSCAPE

The Non-Citizen Employment Regulation Act of 2014 was enacted by the Parliament of the United Republic of Tanzania on 18th March 2015, and signed into law by the President of the United Republic of Tanzania on May 2015

Under the 2014 Act the Minister of Labour and Employment is introduced as a highly important player in the process of obtaining a work permit in Tanzania. As is the case in many African countries, such as Botswana and Mozambique, Tanzania makes a distinction between work authorization and residence permits.

Work authorization is now granted by the Labour Ministry. Unsurprisingly work authorization is granted to allow one to work in Tanzania. However, in order to also reside in Tanzania whilst working, an additional residence permit is required. Residence permit applications are handled by the Department of Immigration. Both a work and residence permit are required to legally live and work in Tanzania.

The Labour Commissioner will play an active role in the management of foreign workers active in Tanzania. His or her role and powers under section 5 of the recently introduced Non-Citizen Act are to supervise day to day implementation of the Act, issuance of work permits, cancellation of work permits, extension/renewal of work permits, issuance of certificates of exemption, supervision of the implementation of succession plans (known in South Africa as Transfer of Skills Plans – programs to ensure that skills from a foreigner are transferred to locals), administration of the work permit register and advising the Ministers in all matters relating to the employment of non-citizens.

Any person who intends to engage / employ a non-citizen in any employment or occupation shall be required to prepare an effective training program for the local employees. We notice a similar approach in most other African countries, such as South Africa and Zambia; foreigners can be permitted to work in a country but only if there is a plan in place which ensures that locals also benefit from the presence of non-citizens.

WHAT IS A VISA?

A visa is an official endorsement in a passport, which allows the bearer to proceed to the relevant country's territory provided that such bearer complies with the terms and conditions stipulated on the obtained visa.

TYPE OF VISAS ISSUED TO FOREIGN NATIONALS

- Business / Ordinary visitor's visa
- Short term work permit
- Investors / Self-employed – Class A
- Long term work permit – Classes B, C, D, E
- Accompanying spouse visa
- Study permit

No Tourist Visa is required for nationals of the following countries:

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| • Barbados | • Jamaica | • Mozambique |
| • Botswana | • Kenya | • Namibia |
| • Gambia | • Lesotho | • Uganda |
| • Ghana | • Malaysia | • Swaziland |
| • Hong Kong | • Malawi | • Zambia |
| | | • Zimbabwe |

| Referred Visas are required for nationals of the following countries: | | |
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| • Afghanistan | • Eritrea | • Sierra Leone |
| • Azerbaijan | • Lebanon | • Tajikistan |
| • Bangladesh | • Mali | • Turkmenistan |
| • Chad | • Mauritania | • Uzbekistan |
| • Djibouti | • Morocco | • Kazakhstan |
| • Ethiopia | • Niger | • Kyrgyzstan |
| • Equatorial Guinea | • Palestine | • Sri Lanka |
| | • Senegal | • Refugees and Stateless individuals |
| | • Somalia | |

NATIONALITIES WHICH REQUIRE REFERRAL VISAS

A Referred Visa is a visa granted to nationals of countries which require a special clearance and approval from the Principal Commissioner of Immigration Services or the Commissioner of Immigration Services (Zanzibar) prior to the issuance of such entry Visa. Applicants from the above listed countries thus will need to apply for a visa prior to travelling.

Any and all travellers from other countries can choose whether they apply for their visa upon arrival or prior to travelling through the Tanzanian embassy in their country of residence. The advantage of applying for the visa prior to travelling is that the visa fee is far lower and one does not have to wait in a long queue after arriving in Tanzania. Of course the disadvantage is that the passport will be held by the processing Embassy, the applicant will thus not be able to travel in the interim.

(BUSINESS) ORDINARY VISITOR'S VISA

The Immigration Services Department has introduced the Business Visa and Business Pass after abolishing the Carrying On Temporary Assignment Pass (CTA). The Business Pass which lasts for 90 days will be issued to foreigners who come from a country whose citizens require visa when entering the country = any citizen not listed in the above list. It is understood that the abolishment of the CTA was completed in order to avoid people coming to Tanzania and simply starting work on this CTA visa.

This business / visitor's Visa is granted to foreigners seeking to enter the United Republic of Tanzania for the purpose of visiting for; leisure, holiday, business, health treatment or any other activity legally recognized by the Laws of the United Republic of Tanzania. The Business visa may be applied for prior to entry or upon arrival and is valid for 90 days, renewable once.

Foreign nationals may conduct certain activities under the Business Visa on arrival. It allows one to attend board meetings; engage in business prospecting or conducting a presentation; or provide advisory or consultation services and to work on the repair and installation of machinery. This is quite unusual and makes the Tanzanian Immigration landscape one that can be labelled as pragmatic and relatively foreign worker friendly.

Work activities cannot be conducted under the Business Visa on arrival. The business visa is valid for 90 days only and is not renewable in country. To obtain a business visa it is important to have a letter of invitation as well as contact details of a legal entity in Tanzania which is to receive the applicant. An itinerary of all events to be undertaken while on a business trip will be helpful and will prove that no prohibited work will be conducted during the visit.

Activities allowed

Foreign nationals can conduct the following activities under the Business on Arrival;

- Attending board meetings
- Business prospecting or conducting a presentation
- To provide advisory or consultation service
- Installation of machinery
- Pending application for work permit/ Residence permit

Work activities cannot be conducted on a Business on arrival visa. A business visa is valid for 90 days only and it is not renewable in country. It is advisable for the person to apply for work permit and residence permit to allow them to work legally in country.

A Multiple Entry Visa is a visa granted to persons who by nature of their businesses or circumstances require making frequent visits to Tanzania. This visa allows the holder to enter and re-enter Tanzania subject to validity of the visa and provided that a single stay of the holder should not exceed three months. Furthermore the same conditions apply as for the "normal" business visa. Separate application for the granting of a multiple entry visa must be made. It is important to strongly motivate this request. Approval of such a request is entirely to the discretion of the relevant officials.

SHORT TERM WORK AUTHORIZATION

The short term work permit will be issued as a multiple entry permit valid for six months only and is non-renewable.

The permit is granted by the Ministry of Labour and Employment in Tanzania. Once a Short Term Permit is issued it is mandatory for the applicant to also apply for a Residence Permit. The essence of this procedure being that the Short Term Work Permit only gives a foreigner authority to work in Tanzania but the same does not give the applicant authority to reside in Tanzania, as mentioned above. The application for a residence permit should be submitted at the Department of Immigration.

In order to apply for the short term work permit you will need an offer from a local entity in Tanzania, without an offer from an entity in Tanzania you cannot apply for a Short Term Work nor a Long Term work permit. The holder of a Short Term Work Permit can leave and re-enter Tanzania using the same Short Term Work Permit and related residence as long as the permit has not expired.

It is advisable to apply for a long term work permit in case the assignment is longer than six months. The long term work permit application processes and related costs are the same as when applying for a short term work permit.

RESIDENCE PERMITS IN TANZANIA

There are three types of residence permits available in Tanzania. Self-employed foreigners (investors) are required to apply for a Class A permit while foreign employees must apply for a Class B permit. Class C permits are relevant for other categories of residents such as students and missionaries. Applications for Class A and C permits should be forwarded directly to the Director of Immigration Services while applications for Class B permits should be forwarded to the Director of Immigration Services through the Labour Commissioner. The Labour Department is only involved in the issuance of Class B permits.

Residence permits can only be applied for in Dar-es-Salaam.

MAIN CATEGORIES OF WORK PERMITS IN TANZANIA

There are 5 types of work permits that applicants can apply for to work in Tanzania:

1. Category A: This is a Permit issued to a foreigner who wishes to start his own business in Tanzania (Investor and self-employed foreigner). The application fee is USD 1000.
2. Category B: This is a Permit for Non – Citizens in possession of prescribed professions (Medical and Health Care Professionals, Experts in Oil & Gas, Teachers and University Lectures in Science and Mathematics). The application fee is USD 500.
3. Category C: This is Permit for Non – Citizens in possession of other professions. The application fee is USD 1000.
4. Category D: This is Permit for Non – Citizens employed or engaged in registered religious and charitable organizations. The application fee is USD 500.
5. Category E: This is a permit issued to a refugee. It is issued free of charge.

The processing time for an employment permit is approximately 4 to 6 weeks and it is valid for up to 24 months.

STUDY VISA IN TANZANIA

Children expected to join schools / colleges require a residence permit Class "C". Proof of relationship to the main applicant / parent should be submitted, in the case of accompanying children an unabridged birth certificate works best.

Students from East African Community Partner States are not required to apply for Residence Permits. Instead, they are issued with an Exemption Certificate upon application and fulfillment of prescribed procedures. No fee is payable for this document.

DEPENDENT PASS (ACCOMPANYING VISA)

The holder of a Residence Permit can include a Dependent in his permit by making an application for a Dependent Pass. Family members who are dependent on the applicant for their living and well-being like the spouse, children, parents and grandparents can be included in the applicant's Residence permit application as dependents and will be granted Dependent Passes.

It should be noted that these family members shall not engage in any employment in Tanzania. The children must be under eighteen years of age and parents/grandparents must be one hundred percent dependent on the applicant. Moreover, the applicant must have conducive income to support his or her dependent(s).

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