



HOW TO RESIDE AND WORK IN TANZANIA AS A NON-CITIZEN

INTRODUCTION

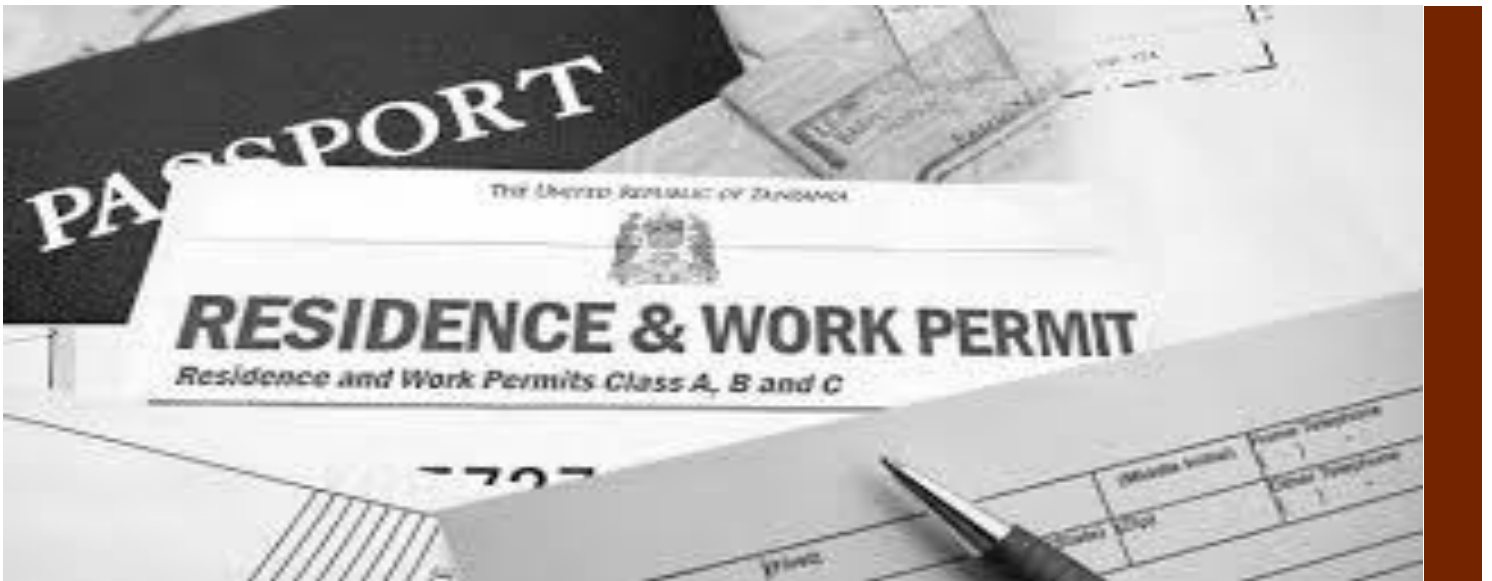
All foreigners intending to work in Tanzania must obtain both a work and residence permit. The work permit allows a foreigner to undertake specific employment in Tanzania, and the residence permit enables a foreigner to reside in Tanzania. The issuance of work permits is regulated by the Non Citizen (Employment Regulation) Act, Act No. 1 of 2015, while the grant of residence permits is governed by the Immigration Act, Act No. 7 of 1995. The Labour Commission, which is under the auspices of the Ministry of Labour, Youth, Employment and Persons with Disabilities issues work, permits while the issuance of residence permits and Visas is the work of the Immigration Department, which is found within the Ministry of Home Affairs.



WORK PERMITS

PART 1

The Non Citizen (Employment Regulation) Act vests the powers of issuing work permits with the Labour Commissioner. According to the Act, a foreigner is not authorized to engage in any occupation in Tanzania unless he/she obtains a valid work permit and such a person can only engage in the occupation specified in the work permit. **It should be noted that pursuant to Section 10 (1) of the Act, Any person who wishes to employ or engage a non-citizen in any occupation should apply for a work permit to the Labour Commissioner prior to entry (into the Country) by the non-citizen.**



There are five categories of work permits, namely:

1. Class A- Issued to foreign investors
2. Class B - Issued to foreigners employed in prescribed professions in Tanzania

Currently Prescribed Professions are:

- Medical and Health Care Professionals
 - Experts in Oil and Gas
 - Teachers and University Lecturers in the fields of Science and Mathematics
3. Class C - Issued to foreigners employed in Tanzania in other professions not prescribed by the Act and Regulations
 4. Class D - Issued to foreigners employed or engaging in religious and charitable activities
 5. Class E - Issued to refugees

CATEGORIES OF WORK PERMITS

APPLICATIONS FOR WORK PERMITS

As stated above, applications for work permit must be made prior to the foreigner entering Tanzania. The application is made by the employer submitting the relevant application forms together with required documents and payment of the necessary fee to the Labour Commission online and later you submit them all physically. The fee varies depending on the class applied for. Currently the fee structure is as follows:

- Class A - USD 1000
- Class B - USD 500
- Class C - USD 1000
- Class D - USD 500
- Class E - Gratis

It is important to note the fee is non-refundable. Therefore if the application is denied, the applicant forfeits the fee paid.

ISSUANCE OF WORK PERMITS

The Labour Commissioner has the power to issue or deny the issuance of work permits to any applicant. In case of denial, the aggrieved applicant may appeal to the Minister responsible for Labour and employment matters within thirty days from the decision of the Labour Commissioner. If the applicant satisfies the conditions, the Labour commissioner grants the work permit, which is valid for two years.

NB. The work permit entitles the foreigner to work but not to reside in Tanzania. Therefore, after obtaining the work permit, the foreigner must submit an application for a residence permit to the immigration department.

This was introduced by the Labour Commissioner administratively to cover the lacunae that resulted from the abolition of CTA (Carry on Temporary Assignment) Permits. The permit is valid for six months and is issued upon submission of the application accompanied by the necessary documents. It is advisable that all foreigners who come to Tanzania on short term assignments obtain this permit prior to commencing any short term assignment such as a short term consulting project, factory installation work or similar short term work. The cost is USD 500.

APPLICATIONS AND ISSUANCE OF WORK PERMITS

A point to note about Short Term Permits is that there is no corresponding residence permit (covering six months) for holders of the STP. Neither the Non Citizen (Employment Regulation) Act nor the Immigration Act provides for issuance of the Short Term Permit. It is advised that an STP be accompanied by a Business Visa so as to avoid queries from the relevant authorities. Unlike other Permits an STP may be obtained while in Country.

PART 2.

RESIDENCE PERMITS

Residence permits are issued by the Immigration Department and are governed by the Immigration Act of 1995. As per the Immigration Act, there are three classes of resident permits viz. Class A, B and C.

A Class A permit is issued to foreign investors, Class B to foreigners employed in Tanzania and Class C to anyone not qualifying for either a Class A or B. It is important to note the classification of residence permits is different from that of work permits.

APPLICATION FOR RESIDENCE PERMITS AND FEES

The application for a residence permit is done by submitting the application forms together with the necessary documents online and later you submit them all physically with the Immigration Department. A big difference between the work permit and residence permit is the manner in which the fee is paid.

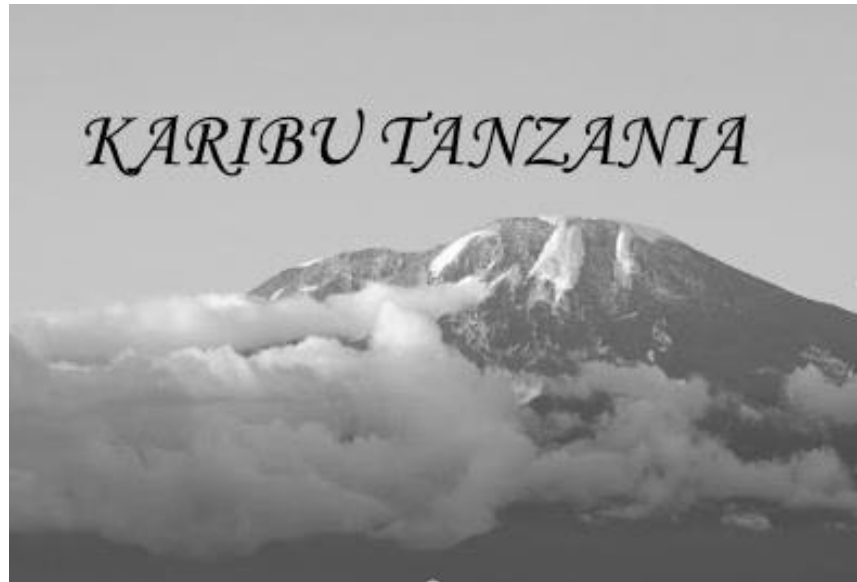
The fee for a residence permit is only paid after approval of the application, unlike in the case of a work permit where it is paid for prior to approval. Therefore in the event of a denial of the application for a residence permit; the applicant does not suffer loss of the fee paid. The permit fees vary depending on the permit applied, as shown hereunder:

- Class A - Investors USD 3050.
- Class B - Employees USD 2050
- Class C - Dependents, Retirees, Students USD 650.

Class C may be issued to foreigners intending to enter and reside in Tanzania for purposes other than those specified for grant of residence permit class A or B. these include students, researchers, volunteers, persons attending cases in court of law, persons who have formerly been residents and are about to leave the country (i.e. winding up affairs) and persons attending medical treatment in hospitals. Requirements for residence permit class "C" differs depending on the categories of activities that a foreigner intends to engage in.

BUSINESS VISA

This is issued to any foreigner entering Tanzania for business purposes. In actuality it is either an "ordinary visa" or a "multiple entry visa" which describes the activity a non-citizen is entering the Country to conduct. It can be obtained from the Embassy of Tanzania in the foreigner's country of residence or at the airport upon arrival. The business visa is valid for 3 months and can be renewed.



CONCLUSION

The above information provides a brief overview of the work and residence permits in Tanzania. Further information may be found on the Ministry of Home Affairs Website for the Department of Immigration as per the following link www.immigration.go.tz our firm handles applications for all work and residence permits issued in Tanzania. We handle the applications timely and in a cost effective manner. In the event that you would like assistance with either a Residence or Work Permit application kindly send an inquiry directly to vmwakimi@lysonlaw.co.tz or to masha@lysonlaw.co.tz