

GOVERNMENT NOTICE No. 595 published on 25/8/2023

THE EXECUTIVE AGENCIES ACT,
(CAP. 245)

ORDER

(Made under section 3(1))

THE EXECUTIVE AGENCIES (THE TANZANIA BUILDINGS AGENCY)
(ESTABLISHMENT) (AMENDMENT) ORDER, 2023

Citation
G.N No.
24 of 2003

1. This Order may be cited as the Executive Agencies (The Tanzania Buildings Agency) (Establishment) (Amendment) Order, 2023 and shall be read as one with the Executive Agencies (The Tanzania Buildings Agency) (Establishment) Order, 2003, hereinafter referred to as the “principal Order”.

Amendment
of paragraph 3

2. The principal Order is amended by deleting paragraph 3 and substituting for it the following:
“3. The governance, responsibilities, powers, accountability and other matters relating to TBA shall be as specified in the Framework Document set out in the Schedule.”

Amendment
of Schedule

3. The principal Order is amended by revoking the Schedule and substituting for it the following new Schedule:

“SCHEDULE

(Made under paragraph 3)

THE TANZANIA BUILDINGS AGENCY FRAMEWORK DOCUMENT

Executive Agencies (The Tanzania Buildings Agency) (Establishment)
(Amendment)

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LIST OF ABBREVIATIONS

CRB	Contractors Registration Board
ESIA	Environment and Social Impact Assessment
EMA	Environmental Management Act
EWURA	Energy and Water Utilities Regulatory Authority
HVAC	Heat Ventilation and Air Condition
ICT	Information and Communication Technology
LAN	Local Area Network
MAB	Ministerial Advisory Board
MDAs	Ministries, Departments and Agencies
OSHA	Occupational Safety and Health Authority
PPRA	Public Procurement Regulatory Authority
PSRP	Public Service Reform Program
TANESCO	Tanzania Electricity Supply Company
TBA	Tanzania Buildings Agency
WAN	Wide Area Network

FOREWORD

Tanzania Buildings Agency (TBA) is the government's Executive Agency established in 2002 under the Executive Agency Act, Cap 245 by the Ministry of Works and Transport (Works), with a primary mandate of providing quality accommodation to public servants and Government, building consultancy services as well as construction.

Since its establishment, a number of changes and new development have occurred in term of Strategies, Goals and Objectives, Business environment, Country National Policies and the Organisation structure in order to strengthen the Internal Operations and enhance its effectiveness and efficiency.

The mentioned changes have necessitated review of the Tanzania Buildings Agency Framework Document to re-define mandate, goals and objectives to ensure it discharges its duties and services efficiently and effectively. It is my expectation that the reviewed Framework Document will strengthen the internal operations of TBA and enhance the execution of its mandate.

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I, therefore, call upon cooperation and support from TBA staff, parent Ministry, MDAs and other stakeholders. All of them have the role to play to ensure the goal and objectives of establishing TBA are achieved as intended.

.....
Makame Mnyaa Mbarawa, (MP)
MINISTER FOR WORKS AND TRANSPORT

INTERPRETATION

In this Framework document unless the context otherwise requires:

Act	means the Executive Agencies Act, CAP 245.
Agency	means Tanzania Buildings Agency.
Board	means the Ministerial Advisory Board constituted under section 6 of the Principal Act as amended under section 5 of the Executive Agencies (Amendments) Act, 2009.
Chief Executive	means the Chief Executive of TBA.
Government building	means a building or house inherited from the colonial era, built by the Government funds or on behalf of the government or transferred to TBA for management in Mainland Tanzania and outside Tanzania.
Minister	means the Minister responsible for the Ministry of Works and Transport.
TBA properties	means land and unexhausted improvements thereon in the inventory of Tanzania Buildings Agency (TBA).
Permanent Secretary	means the Permanent Secretary of the Ministry responsible for Works.

1.0 INTRODUCTION

Tanzania Buildings Agency (TBA) was established on 17th May, 2002 under the Government Executive Agency, Cap 245 through the Tanzania Buildings Agency (Establishment) Order, Government Notice No. 24 dated 14th February 2003. The establishment of the Agency was a result of the Public Sector Reform Program (PSRP) in which the Government was repositioning itself to concentrate on policy making activities to deliver better services to the public and bring about social economic development. Tanzania Buildings Agency took over the responsibilities of the then Buildings Departments under the Ministry of Works.

Tanzania Buildings Agency has gained several achievements since its establishment including provision of 9,379 reliable and affordable accommodation to the public servants and government (7,757 houses were sold to public servants and 1,622 houses have been rented to public servants). A massive increase in the number of major projects on the Design, Construction and Supervision of Government Buildings, the Agency has managed to upgrade TBA Construction Company from Class Four (IV) to Class One (I) construction Company, implementation of special and key government projects. The Agency has also created employment opportunities and provided practical trainings to professionals, use of modern Machinery and Technology in Construction and managed to efficiently and effectively control and manage financial resources.

The growth of the Agency has caused several challenges to the operations of the Agency which necessitated review of TBA Framework Document of 2002 so as to enable the Agency to achieve its vision and mission. Those challenges include a lack of policies, laws and guidelines for the management of government buildings. Also, Framework Document did not cater for some basic functions performed by TBA as construction, selling of Government houses commercial leasing, managing workshops, and leasing machinery and equipment of the agency.

The main **rationale** for changes in the Framework Document are as follows:

the amendments have been made in the Executive Agencies Act, (Cap 245) where it gives the new directives in the Governance of the Agency;

- (a) the approval of Organization structure of TBA in 2018 which has brought changes in the set-up of the organization structure;
- (b) Amendment made to the Standing Orders for the Public Service 2009 (Third Edition) that mandated TBA to grade, classify, Lease and sell government houses;
- (c) the National policies and strategies where each Government Organization has to align with them. These policies and strategies include Five Year Development Plan Phase III (FYDP III), CCM Manifesto 2020, and millennium goals;
- (d) some of the goals have been surpassed and others are outdated; and TBA has reviewed its Strategic Plan for 2021/2022-2025/2026 which has set strategic objectives for five years;
- (e) Construction Industry Policy of 2003 has been redirected that the Government and private sectors shall cooperate in supporting the development of sustainable human settlements; and
- (f) Government directives to TBA to develop public housing in partnership with private sectors, hence requiring TBA to align itself in the business environment.

The fore-mentioned reasons have necessitated amendment of the Tanzania Buildings Agency Framework Document to re-define mandate, objectives and

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functions of TBA to ensure it discharges its duties and services efficiently and effectively.

2.0 LEGAL STATUS AND GOVERNANCE

2.1 Legal Status

Tanzania Buildings Agency (TBA) as an Executive Agency under the Ministry of Works and Transport (Works), the then Ministry of Works, was established under Section 3(1) of the Executive Agencies Act, CAP 245 as a legal body that may under Section 3(6) of the Act: -

- (a) enter into contracts in its own name;
- (b) sue and be sued in its own name only in contract; and in that respect all laws applicable to legal proceedings other than Government Proceedings Act, CAP 5 shall apply to legal proceedings to which the Agency is a party;
- (c) in all matters relating to contract, not be competent to sue or be sued in its own name; however, any legal proceedings which, but for this paragraph, would have been instituted by or against the executive agency, may only be instituted by or against the Government in accordance with the Government Proceedings Act;
- (d) subject to section 13, in its own name, have power to borrow money and to acquire, hold or dispose of movable property;
- (e) do all other things which are necessary or desirable for the efficient and effective discharge of its functions, including the establishment of consultative arrangements necessary to secure the views of the users of its services.

TBA came into operation on 17th May, 2002 and has the following characteristics:-

- (a) a Government Organization;
- (b) semi-autonomous;
- (c) managed by a Chief Executive at 'arm's length' from Government
- (d) businesslike in Operation;
- (e) using modern business planning and financial management methods;
- (f) managerially self-sufficient, with flexibility, freedoms and authorities over its resources in accordance with Laws and Regulations; customer focused; and
- (g) publicly accountable.

2.2 Governance

The Chief Executive, appointed by the Minister in consultation with the President's Office, Recruitment Secretariat and the President's Office Public Service Management and Good Governance, shall hold the office for a term not exceeding five years or for such shorter period as may be specified in the instrument of appointment and shall be eligible for re-appointment based on performance.

The Chief Executive is responsible for management of TBA and shall be directly answerable to the Permanent Secretary. The Permanent Secretary will oversee the interest of the Ministry and the Government in general. There shall be Ministerial Advisory Board (MAB) that will advise the Minister and the Permanent Secretary on the performance of TBA.

2.3 The organization structure of TBA

The organization structure of TBA was approved by the President on 7th July, 2018 and comprises four (4) Directorates, 12 sections, eight (8) Units and 26 Regional Offices (*see Chart I*) as follows:

2.3.1 Directorate of Real Estates Management

The Directorate is responsible for providing advice regarding management of Government properties, land acquisition and development, formulation of different internal government housing policies, rules and regulation and provision of government housing valuation services. The Directorate is led by a Director and comprises of three (3) Sections as follows:

- (i) Real Estate Development Section;
- (ii) Properties and Facilities Management Section; and
- (iii) Public Housing Section.

Sections are led by the Manager.

2.3.2 Directorate of Consultancy

The Directorate is responsible for providing advise pertaining procurement of consultancy and construction services. The Directorate is led by a Director and comprises four (4) sections as follows:

- (i) Architecture Section;
- (ii) Structural Engineering Section;
- (iii) Quantity Surveying Section; and
- (iv) Building Services Engineering.

Sections are led by the Manager.

2.3.3 Directorate of Construction

The Directorate is responsible for undertaking the construction of Government buildings to realize value for money through achieving standard and specification (Quality), set budget (Cost) and time frame. The Directorate is led by a Director and comprises two (2) sections as follows: -

- (i) Construction and
- (ii) Maintenance, Woodworks and Metal Fabrication Section.

Sections are led by the Manager.

2.3.4 Directorate of Business Support

The Directorate is responsible for providing support services on Finance and Accounts, Administration and Human Resource Management, and Planning, Monitoring and evaluation. This Directorate is led by a Director of Business Support and comprises three (3) Sections: -

- (i) Finance and Accounts Section;
- (ii) Administration and Human Resources Management Section; and
- (iii) Planning, Monitoring and Evaluation Section

Finance and Accounts Section is led by the Chief Accountant and two other Sections are led by the Manager.

2.3.5 Internal Audit Unit

The Unit is responsible for advising on resources management to Agency. The Unit is led by the Chief Internal Auditor.

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2.3.6 Legal Services Unit

The Unit is responsible for providing legal advice on legal matters, contractual obligations, and litigations. The Unit is led by the Manager.

2.3.7 ICT and Statistics Unit

The Unit is responsible for providing expertise and services on Statistics and application of ICT to the Agency. The Unit is led by the Manager.

2.3.8 Procurement Management Unit

The Unit is responsible for providing expertise in procurement, supplies and transport services for the Agency. The Unit is led by the Manager.

2.3.9 Marketing and Public Relations Unit

The Unit is responsible for providing expertise on the publicity of Agency's products and services offered. The Unit is led by the Manager.

2.3.10 Project Management Unit

The Unit is responsible for advising and managing all projects related to government buildings and giving technical recommendations (to the Chief Executive) which lead to achieving the overall and specific objective of the projects. The Unit is led by the Manager.

2.3.11 Plants and Machinery Unit

The Unit is responsible for managing, maintaining, keeping records and undertaking an inventory of acquired machines, plants and equipment for government building projects. The Unit is led by the Manager.

2.3.12 Quality Assurance and Control Unit

The Unit is responsible for ensuring that all government buildings are designed and constructed according to the set standards and specifications. The Unit is led by the Manager.

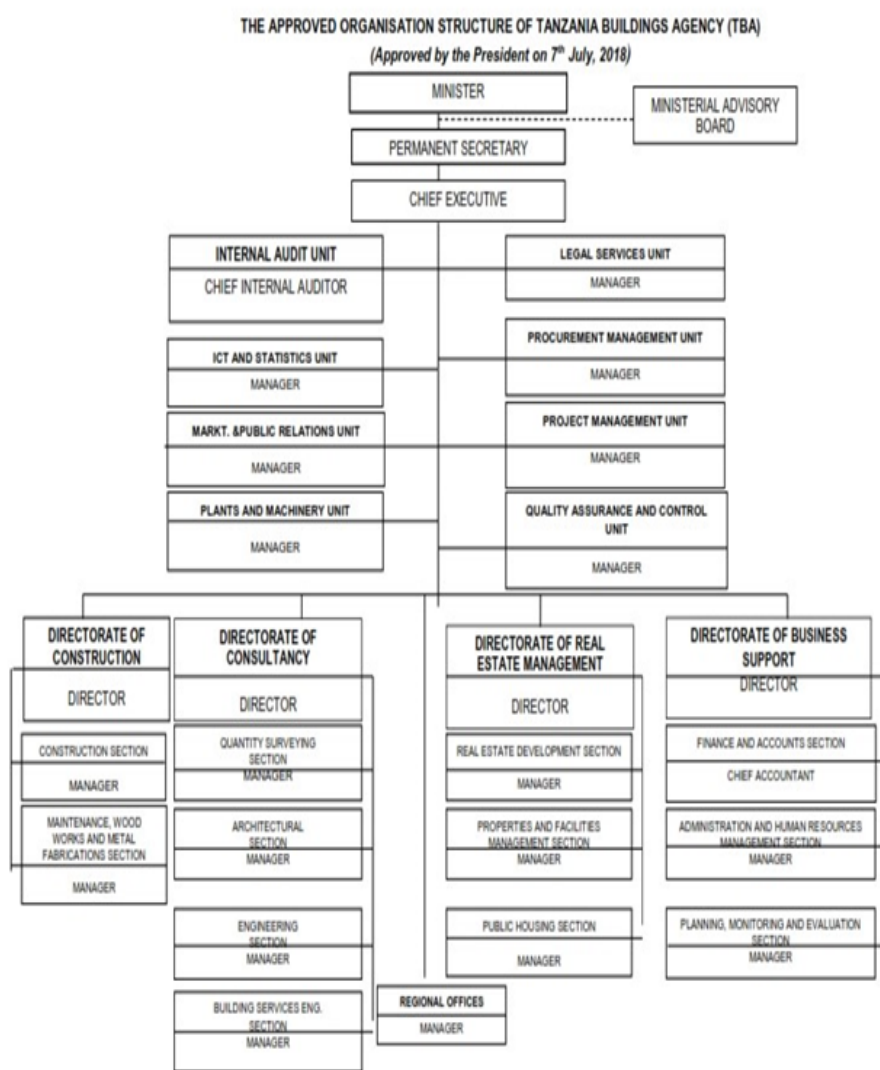
2.3.13 Regional Offices

The Regional Offices are responsible for managing and coordinating all matters related to the functions of the TBA on behalf of the TBA Management in regions. The regional Office is led by the Manager.

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Chart 1



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2.4 Review of the Organization Structure

The Agency's Organization structure may be reviewed when need arises. The Chief Executive through the Permanent Secretary and the Ministerial Advisory Board shall advise the Minister on the changes required. The proposed structure shall be submitted to the Ministry responsible for Public Service Management for approval.

2.5 Staffing

The Chief Executive shall recruit a number of employees as he may consider necessary as desirable for the efficient and effective discharge of the functions of the Agency and on such terms and conditions of service as he may determine in accordance with any direction issued by the Ministry responsible for Public Service Management.

3.0 VISION, MISSION, CORE VALUES, OBJECTIVES AND FUNCTIONS

3.1 Vision

A center of excellence in provision of Government Real Estate Development and Management.

3.2 Mission

To provide standard, quality and affordable accommodation to the government and public servants through Real Estate Management, Consultancy Services and Construction.

3.3 Core Values

Professionalism:	TBA staff shall perform duties based on professional and respectful manner, ethics, state of the standards and guidelines in the field of work and understand cross-cutting issues.
Customer focus:	TBA staff shall ensure suitable, satisfactory and timely service delivery to customers.
Integrity:	TBA staff shall be honest and show a consistent and uncompromising adherence to strong moral and ethical principles in the execution of Agency's mandate
Teamwork:	TBA staff shall be committed to working together as a team in order to achieve a common goal.
Transparency:	TBA staff shall fulfill roles and responsibilities in an open and accountable manner to the public.
Value for Money:	TBA staff shall thrive to achieve compliance to standards and specifications with effective and efficient construction and maintenance works and services.
Innovativeness:	TBA staff shall apply and facilitate application of technologies, techniques and best practices to enhance quality, effectiveness and efficiency.

3.4 Objectives

- (a) Government real estate development and management improved;
- (b) Consultancy services for government buildings and public servants' housing enhanced;
- (c) Construction services for government buildings and public servants' housing

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- enhanced;
- (d) Institutional capability for provision of services strengthened.
- (e) Health services improved and HIV/AIDs infections reduced; and
- (f) Effective implementation of national anti-corruption strategy enhanced and sustained.

3.5 The Functions of TBA

The functions of TBA is to provide efficient and effective Government real estate development and management, consultancy services, construction and maintenance of Government buildings. This includes: -

- (a) Construction of new Government buildings;
- (b) Maintenance of Government buildings;
- (c) Allocation or sale of Government houses to public servants;
- (d) Sale of Government houses to general public for projects implemented in partnership with private sector or under loan from Financial Institutions;
- (e) Leasing Government houses to public servants; and on a commercial basis;
- (f) Custodian of government buildings and keep database for government plots and buildings;
- (g) Provision of consultancy services to the Government buildings projects;
- (h) Approve MDA's drawings and issue of buildings permits for Government buildings;
- (i) Formulate and establish technical and quality standards for Government buildings and review continuously;
- (j) Custodian of all building and consultancy contracts as well as service level agreements for government buildings;
- (k) Ensure that all building works are designed to reflect value for money;
- (l) Provision of project management services for MDA's building projects;
- (m) Provision of facilities management services to MDA's;
- (n) Operating Government Workshops for production of furniture and building elements in TBA projects;
- (o) Provide property management and brokerage service; and
- (p) To advise the Government on Policy and legal matters pertaining to the building sub-sector.

3.6 Performance criteria

The Ministry responsible for Works shall monitor TBA's performance during the course of each financial year via technical and financial audits. Specific performance targets will be set each year and clearly stated in the Performance Agreement between the Permanent Secretary of the Ministry responsible for Works and the Chief Executive for the implementation of the annual plans and budget of TBA. The following criteria shall be monitored:

3.6.1 Quality of services provided

The Agency will provide quality services in terms of benchmarking, accuracy, timeliness, customer satisfaction, material quality, and good environmental measures.

3.6.2 Financial Performance (improved management systems)

For accountability purposes, the Agency will develop systems that comply with the Financial Laws and regulations and best financial management practices. There will be timely preparation and submission of accurate financial reports and sound trend of the Agency's financial position.

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3.6.3 Operational Efficiency

The Agency will develop planning and management tools for Real Estate, Consultancy Services and Construction. There will be compliance to the specified standards and use of transparent internal processes and procedures in the service delivery.

4.0 ROLES, RESPONSIBILITIES AND ACCOUNTABILITY

4.1 The Minister

The Minister is responsible for determining and maintaining the policy framework for the Agency, general direction and functional boundaries within which TBA operates. Specifically, the Minister is responsible for;

- (a) Establishing or Re-establishing the Agency;
- (b) Appointing the Chief Executive of the Agency with necessary qualifications, experience and competence to manage effectively and efficiently the affairs of the Agency upon advice of the Public Recruitment Secretariat, Permanent Secretary of the parent Ministry; who shall hold the Office for a term not exceeding five years or for such shorter period as may be specified in the instrument of appointment and shall be eligible for re- appointment based on performance
- (c) Appointing the Chairman and other members of the MAB; and
- (d) Discipline and Control of the Chief Executive
- (e) The Minister shall meet the Management of TBA at least once in a year to discuss the Agency strategies, its performance and how risks can best be managed.

In discharging the responsibilities, the Minister shall be assisted by the Permanent Secretary in ensuring that the policies and objectives of the Ministry are adhered to.

4.2 The Permanent Secretary

The Permanent Secretary shall be responsible for overseeing implementation of Ministerial policies of TBA and financial framework within which the Agency operates, may give directions of general nature to the Chief Executive but shall not direct, or participate in, the day-to-day management of TBA.

The Permanent Secretary shall be responsible for approving TBA's Strategic Plans, Business Plans, its annual budget, loan proposals, acquiring and disposal of movable and immovable properties depending on existing Government policies. In addition, the Permanent Secretary shall enter into performance contract with the Chief Executive and shall meet the Management of the Agency in person at least twice a year to discuss TBA's plans, its performance and how risks can best be managed.

4.3 Ministerial Advisory Board (MAB)

The Ministerial Advisory Board (MAB) of TBA is composed of a Chairman, Secretary and other members being not more than five:

- (a) The Chairman of MAB shall be appointed from outside the Ministry.
- (b) A principal officer or level above from the Ministry under which the agency is established who shall be a member of the Board.

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- (c) The Minister shall appoint the Chairman and other members of the Ministerial Advisory Board among persons who are well versed with the functions of the Agency or matters of similar nature.
- (d) The Chief Executive of TBA shall be the Secretary of the Board.

The responsibilities of MAB shall be to advise the Minister and the Permanent Secretary on the following:

- (a) The development and maintenance of a strategic framework;
- (b) The objectives of TBA;
- (c) The acceptability of Chief Executive plans and associated budgets;
- (d) The setting of priorities and annual performance targets of TBA;
- (e) The evaluation of TBA's performance;
- (f) Salaries, wages and allowances of the employees of TBA; and
- (g) Any other matter related to the promotion and furtherance of the objectives and functions of TBA.

4.4 The Chief Executive

The Chief Executive is responsible for managing the Agency within the terms of this Framework Document. He is the Agency's Accounting Officer responsible for day-to-day operations of the Agency. He is accountable to the Permanent Secretary. The Chief Executive is specifically responsible for:

- (a) Preparation and submission of Strategic Plans, Business Plans and associated budgets to the Permanent Secretary for approval;
- (b) Implementation of the approved plans, including the achievement of performance targets;
- (c) Concluding procurement contracts in accordance with Public Procurement Act, CAP 410 and its Regulations;
- (d) Organizations and management of assets and resources allocated to the Agency in an efficient and cost-effective manner;
- (e) Human resource management, organization, control and discipline of the Agency's employees;
- (f) Managing the procurement and control of supplies for the Agency;
- (g) Ensuring that all aspects of the management and organization are kept under review and that they enable best possible performance of the Agency;
- (h) Providing performance report to the Ministry and other relevant institutions; and
- (i) Preparation of Annual Reports and Audited Financial Statement for submission to the relevant authorities;
- (j) Handle operation matters which give rise to significant public, policy or parliamentary concerns;
- (k) Establish good business relations between the Agency, Customers and stakeholders in general; and
- (l) Be the Secretary to MAB.

4.4.1 Powers of the Chief Executive

(i) Human Resources Management

The Powers and functions of the Chief Executive in relation to human resources and related matters are prescribed in the Act, the Public Service

Act, CAP 298 and its regulations.

(ii) Financial and Related Matters

The powers of the Chief Executive in relation to financial and related matters are prescribed in the Act, the Finance Act CAP 348, and other relevant legislation. The Chief Executive may in writing delegate any powers given to him to an employee of TBA but is not thereby relieved of a duty or responsibility to him in terms of this Framework Document or any other legislation.

5.0 ACCOUNTABILITY

The accountability of key players of TBA is stipulated below:

5.1 Minister

The Minister shall be accountable to the Parliament for all aspects of TBA. The Minister shall be assisted, in the discharge of his responsibility, by the Permanent Secretary and the Chief Executive.

5.2 Permanent Secretary

The Permanent Secretary who is the Principal Accounting Officer of the Ministry and as such, is responsible for assuring a high standard of financial management, conduct and performance of the Agency in carrying out responsibilities as per the approved Agency's plans.

5.3 Chief Executive

The Chief Executive is the Agency's Accounting Officer, and is therefore accountable for ensuring the propriety and regularity of revenue and expenditure, for prudent and economical administration, and ensuring that requirements set by the Ministry responsible for finance are met in accordance with the existing financial laws and regulations.

The Chief Executive is responsible for establishing proper management systems and this purpose shall take due account of financial management guidance issued by the Ministry responsible for finance and human resource management guidance issued by the President's Office - Public Service Management. The Chief Executive shall also put into effect recommendations acceptable to the Government from the Public Accounts Committee and other Parliamentary Committees.

5.4 Public accounts committee, Parliamentary and other inquiries

The Permanent Secretary (Principal Accounting Officer) and the Chief Executive (Agency's Accounting Officer) may be required to appear before the Public Accounts Committee (PAC) to represent the Agency at a hearing related to the Agency. The Chief Executive may also be required to prepare the response to the Parliamentary questions and inquiries that fall under the responsibility of TBA. The Chief Executive shall advise the Permanent Secretary and the Minister on other Parliamentary matters as may be required.

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6.0 FINANCE, PLANNING AND STRATEGIC CONTROL

6.1 Funding, Expenditures and Accounting

The source of funds of TBA shall include:

- (a) Charges from services rendered in consultancy, tenancy and property and facility management services;
- (b) Sale of TBA goods and Services;
- (c) Supplementary funds secured from Financial Institutions through loans or mortgage facilities; and
- (d) Grants and subsidies from the Government or any other Organizations.

TBA expenditures shall be in accordance with the Business plan approved by the Permanent Secretary and shall be accounted for in such a manner that it shall be possible to link all expenditures to the sources of funding and for which purposes the money has been spent. The Chief Executive shall therefore ensure that the Agency's Financial Management System meets these requirements. The Chief Executive shall prepare and submit quarterly reports to the relevant authorities.

6.2 Strategic Plan

The Chief Executive shall prepare a Strategic Plan to be approved by Permanent Secretary covering a period of five years which may be updated whenever the need arises that affect the Agency's performance. The Strategic Plan shall state the objectives of TBA and outlining the actions to be taken by the Agency in improving service delivery.

6.3 Business Plan

The Chief Executive shall prepare and submit a Business Plan that includes the estimates of the income and expenditure for the next ensuing year to the Permanent Secretary for his approval. The Chief Executive may at any time before the end of a financial year, prepare and submit to the Permanent Secretary for approval any estimates supplementary to estimates of a current year.

The Business Plan shall give details of operations based on the approved Strategic Plan and the annual resource allocations. The Business Plan shall include the planning of activities to achieve TBAs' output together with matching resources calculations.

6.4 Approval

The Chief Executive shall submit Strategic and Business Plans to MAB and thereafter to the Permanent Secretary for approval. The Chief Executive may seek to review the Business Plan in the course of the year to reflect changes in policies, resources or priorities. Approval of these plans will constitute authority for TBA to conduct its operations accordingly.

6.5 Performance Agreement

The Chief Executive shall abide to the Annual Performance Agreement concluded between him and the Permanent Secretary.

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6.6 Procurement Procedures

The Chief Executive shall abide to the Public Procurement Act, CAP 410 and its Regulations in procurement of works, goods and services.

6.7 TBA's Tender Board

TBA shall have its own Tender Board. The composition of the Tender Board shall be as provided in Public Procurement Act, CAP 410 and related Regulations.

6.8 Reports and Accounts

Within two months after the end of each financial year, the Chief Executive shall submit Annual Reports and audited statements of accounts to the Ministry. Subsequently, the Annual Reports and statements of accounts will be published and made available to the public. The Annual Report shall contain;

- (a) copy of the audited accounts of TBA together with the auditor's comments and recommendations;
- (b) a report on performance against targets and other related information;
- (c) a report on operations of TBA during that financial year; and
- (d) any other information that the Minister or the Permanent Secretary may require.

6.9 Financial Delegation

The Chief Executive has the authority to approve all expenditure which are consistent with the approved Strategic and Business Plans and which are in accordance with the letter of delegation.

The Chief Executive shall ensure that appropriate investment appraisal of all capital expenditure projects is carried out. Taking account of such guidance as provided by relevant authorities.

Major capital expenditure areas will be considered in the context of approved Strategic and Business Plans. TBA will undertake post implementation reviews to determine whether projects have achieved the set objectives.

6.10 Value for money

The Chief Executive is responsible for obtaining value for money in the procurement of goods and delivery of services. The Chief Executive shall implement a range of efficiency measures in accordance with agreed programs and timeframe as set out in the strategic and business plan. The Chief Executive is responsible for maintenance of standards and value for money for any contracted out and ensuring that security and confidentiality are maintained.

6.11 Internal Audit

The Chief Executive shall be responsible for ensuring that adequate arrangements exist for the provision of Internal Audit service that accords with the standards set by the Ministry responsible for Finance and in accordance with the Internal Audit Charter.

6.12 External Audit

The audits relating to allocations from the Government of Tanzania shall be

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carried out by the Controller and Auditor General or such other person registered as an Auditor under Auditors and Accountants (Registration) Act, CAP 286 appointed for the purpose by the Permanent Secretary, subject to the approval by the Controller and Auditor General on such terms and conditions as the Controller and Auditor General may determine.

6.13 Budgetary Flexibilities

The Chief Executive shall have powers in relation to budgetary flexibility, which shall be exercised in accordance with guidelines of the Ministry responsible for Finance, and the limits set out in the existing financial laws and regulations.

6.14 Capital Expenditure

The Chief Executive shall have the powers in relation with the capital expenditure to: -

- (a) Authorize capital expenditure on individual capital projects
- (b) Transfer resources allocated to one item in the budget to another; and
- (c) Carry over full to the next financial year any unspent funds on running (operations) costs from the previous financial year.

6.15 Running (Operational) Costs

The Chief Executive shall have the powers to:

- (a) Manage all Running (Operational) costs allocation as a single budget
- (b) Transfer resources allocated to one item in the budget to another; and
- (c) Carry over-full to the next financial year any unspent funds on running (Operational) costs from the previous financial year.

6.16 Assets and Liabilities

In regard to assets and liabilities the Chief Executive may: -

- (a) Authorize special payments, write-offs and disposal of assets in accordance with the existing financial and procurements laws and regulations;
- (b) Authorize expenditure on consultancy services according to the TBA internal regulations, guideline and policy;
- (c) Authorize expenditure on various projects and single sourcing in accordance with Financial regulations, Procurement Act and related Regulations;
- (d) Procure goods and service as per Procurement Act and Regulations; and
- (e) TBA of its own name, can acquire, hold or dispose of movable and immovable property as per applicable laws and guidelines.

7.0 HUMAN RESOURCE MANAGEMENT

7.1 Status and Conditions of Service

TBA staffs are public servants charged with the responsibilities for delivering public services effectively and efficiently within the available resources. Their terms and conditions of service will be approved by the Ministry responsible for the Public Service in accordance with the Act, and the Public Service Act, CAP 298.

Remuneration levels will be set in accordance with policy guidance issued by the Ministry responsible for Public Service Management and TBA incentives

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schemes approved by the Chief Executive, and will take into account the need to attract and retain staff of the required caliber.

7.2 Human Resource Management

The Chief Executive is responsible for management of human resources as set out in this Order. He is responsible for ensuring that an equal opportunity policy is implemented. Within these parameters he may introduce such changes as necessary to maximize the efficiency and effectiveness of TBA.

The Chief Executive shall be responsible for fostering positive attitudes towards responsibility, accountability and productivity. There must be effective channels of communication throughout the Organization and willingness to work as a team to achieve the Agency's objectives. The Chief Executive is obliged to develop human resources training programs that improve the competencies of the staff.

7.3 Staff Relations

The Chief Executive is responsible for fostering good staff relations within the Agency as an important aid to the achievement of the Agency's objectives and ensure effective communication within the Agency. The Chief Executive shall recognize participation of Agency's staff in decision making through recognized Trade Unions.

7.4 Health and Safety

The Chief Executive is responsible for the health and safety of TBA's staff in work place and for complying with all relevant legislation and regulations.

7.5 Risk Conditions Mitigation

The Chief Executive shall take appropriate measures to Agency staff working in risky conditions and shall not expose them to danger or radiation, toxic reagents, flammable chemicals, wild dangerous animals, rough weather and tough field conditions. The Chief Executive shall comply with all relevant legislation and in this regard, shall consult with staff and their Trade Union representatives and relevant authorities on risk working conditions.

7.6 Equal opportunities

The Chief Executive shall create suitable environment to ensure equal opportunities for every staff as stipulated in the Public Service Management and Employment Policy of 1999 and Public Service Act, CAP 298.

7.7 Fight against Corruption

The Chief Executive shall play a leading role in developing and implementing strategies to address corruption and other malpractices in the Agency.

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8.0 AMENDMENT, REVIEW AND PUBLICATION

8.1 Review and Amendment

Any proposed amendment to this document shall be made by the Minister in consultation and advice from MAB, the Permanent Secretary and Chief Executive. Any proposed changes shall be subject to the approval of the Ministry responsible for Public Service Management.

8.2 Publication

The Order including Framework Document and any future amendments shall be published in Government Gazette, uploaded in the Agency's website and will be readily available to anybody by the existing practices.

Copies of this Order including Framework Document and further information about the Agency can be obtained from:

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Tanzania Buildings Agency (TBA),
13 Morogoro Road,
P. O. Box 94,
41102 Viwandani,
DODOMA.
Tel: 026-2320322/026-2320392
Fax: 026-2322991/026-2322251
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Web Site: www.tba.go.tz

Dodoma,
7th August, 2023

MAKAME M. MBARAWA
Minister for Works and Transport