

GOVERNMENT NOTICE No. 138 published on 18/3/2022

THE IMMIGRATION ACT,
(CAP.54)

REGULATIONS

(Made under section 4(4))

THE IMMIGRATION (RIGHTS AND PRIVILEGES) REGULATIONS, 2022

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THE IMMIGRATION ACT,
(CAP.54)

REGULATIONS

(Made under section 4(4))

THE IMMIGRATION (RIGHTS AND PRIVILEGES) REGULATIONS, 2022

PART I
PRELIMINARY PROVISIONS

Citation	1. These Regulations may be cited as the Immigration (Rights and Privileges) Regulations, 2022.
Application	2. These Regulations shall apply to all immigration officers in the United Republic of Tanzania.
Interpretation Cap.54	3. In these Regulations, unless the context otherwise requires- “Act” means the Immigration Act; “allowances” means a sum of money other than salary payable to an entitled or eligible officer of the Department for a specified purpose; “Commission” has the meaning ascribed to it under the Police Force, Prisons Service, Fire and Rescue Force and Immigration Service Department Act;
Cap. 241	“child” has the meaning ascribed to it under the Act; “dependant” has the meaning ascribed to it under the Act; “Minister” has the meaning ascribed to it under the Act; “officer” has the meaning ascribed to it under the Act; “officer in-charge” means any officer appointed by the Commissioner General to head any office within the Service; “Permanent Secretary” means the Permanent Secretary of the Ministry responsible for the Immigration matters; “recruit” means a person admitted for training in order to qualify for appointment in the Service; “senior officer” means any officer of the rank above Inspector; “Service” means the Immigration Services Department in the United Republic of Tanzania; “special skill” means traits and abilities of an officer to perform a particular task in the Department; “spouse” means a husband or wife who is legally married to an officer in the Service and for the purposes of privileges and entitlements under these Regulations, means one spouse only.

PART II
ESTABLISHMENT OF THE IMMIGRATION EMOLUMENTS COMMITTEE

Emoluments Committee	4.-(1) There is hereby established a committee to be known as Immigration Emoluments Committee responsible for undertaking periodical review of officer’s rates of pay and allowances.
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- (2) The Committee shall consist of the following members:
- (a) the Commissioner General who shall be the chairperson;
 - (b) the Commissioner of Finance and Administration who shall be the Secretary;
 - (c) other Immigration Commissioners who shall be members; and
 - (d) three other members appointed from Senior Immigration Officers who have knowledge and experience in the respective matter which is before the Committee:

Provided that, the number of all Committee members including the Chairperson shall not exceed eleven.

Functions of
Emoluments
Committee

5. The Emoluments Committee shall review the rates of remuneration and allowance packages and advise the Commission accordingly.

PART III
ENTITLEMENT AND ALLOWANCES

Categories of
allowances

6.-(1) Immigration officers shall be paid entitlement allowances and eligible allowances depending on the criteria set out in that behalf by the Committee.

(2) Entitlement allowances prescribed in the First Schedule to these Regulations shall be paid to all immigration officers.

(3) Eligible allowances prescribed in the Second Schedule to these Regulations shall be payable solely for officers who need financial considerations for the purpose of facilitating their performances:

Provided that, no allowance shall be payable to an immigration officer who is on leave without pay, imprisoned or who has dissented his duty or work station.

Ration
allowance

7.-(1) An officer in the Service shall be paid ration allowance at the rate to be prescribed by the Committee.

(2) The allowance under subregulation (1) shall be paid once in every month.

Housing
allowance

8. Where the Service does not provide housing to an officer, such officer shall be paid housing allowance equivalent to fifteen percent of his salary.

Transport
allowance

9. Officers of the Department other than those whose appointment includes transport eligibility shall be paid transport allowance where such officer-

- (a) moves from his work station to another station for the purpose of official duties;
- (b) is transferred;
- (c) is on annual leave;
- (d) retires;
- (e) is transferred on medical grounds; or
- (f) is terminated from appointment:

Provided that, transport allowance shall be paid in accordance to guidelines provided by the existing transport regulatory authority or the Committee, and the rates thereto, shall depend on the officer's rank and distance from one place to another.

Duty free allowance

10. All officers in the Service shall be entitled to a monthly pay allowance in lieu of the services that were obtainable by officers from the military duty free shops at the rate to be determined by the Committee.

Subsistence allowance

11.-(1) Subsistence allowance shall be paid to the officer as follows:

- (a) to an officer assigned duty outside his working station, in respect of each night for which he stays outside his station at the rate to be determined from time to time by the Committee:

Provided that, a female officer who is accompanied by a child of not more than thirty months shall be entitled to half subsistence allowance for the child;

- (a) on first appointment for a period of seven days or as may be determined by the Committee;
- (b) on transfer to a station within the country for a period of fourteen days or as may be prescribed from time to time;
- (c) on arrival to the country on return from a study tour, course, duty or other official duty for the nights necessarily spent on the journey from the port of arrival to the officer's station; and
- (d) on departure from the country to proceed on a study course, tour, duty or other official travel for the nights necessarily spent on the journey from the officer's duty station to his port of departure.

(2) Any officer travelling on duty for more than six hours from one station to another or assigned duty for more than six hours outside his working station shall be paid fifty percent of his subsistence allowance.

Professional allowance

12. An officer who possesses a bachelor degree shall be paid a professional allowance at the rate of fifteen percent of his respective salary.

Special duty allowance

13. Any officer who is assigned a duty which involves-

- (a) creativity or innovation;
- (b) special taskforce;
- (c) special operation;
- (d) joint operation;
- (e) any other assignment determined by the Commissioner General as a special duty,

shall be paid special duty allowance at a rate to be determined by the Commission after consultation with the Committee.

Immigration (Rights and Privileges)

GN. NO.138 (Contd.)

Trade pay allowance	14. Any officer who possesses technical certificate or diploma shall be paid a trade pay allowance at the rate of twelve percent of his salary.
Outfit allowance	15. (1) An officer who is- (a) travelling abroad on duty; (b) attending conferences, seminars or workshop; (c) attending an official or formal negotiation; (d) travelling for sports and games; (e) travelling on study tour; or (f) travelling to undertake formal courses in Service training, shall be paid an outfit allowance at the rate determined by the Government. (2) An outfit allowance shall be paid on one occasion in a period of three consecutive years. (3) Where the expenses of the visit or training abroad are met by another government or aid agency and such expenses include payment of an outfit allowance, the officer shall be paid the difference between the prescribed rate of allowance and the allowance paid by another government or aid agency, if any.
Uniform allowance	16. Officers whose day to day duties require them to be in uniform shall be paid, at the interval of six months, an allowance for maintenance of the same at the rate of fifteen percent of the salary.
Plain cloth allowance	17. An officer who is assigned duties which require him to appear in plain clothes for a continuous period of six months shall be paid a plain clothes allowance at a rate of ten percent of his salary.
Intelligence allowance	18. Any officer posted for intelligence duties shall, on monthly basis, be paid intelligence allowance at a rate of fifteen percent of his salary.
Mileage allowance	19. Where an officer is authorised by the Commissioner General to use his own motor vehicle for the purposes of performing official duties, such officer shall be paid a mileage allowance in respect of such use at a rate to be determined by the Commission.
Instructor's allowance	20. Any officer posted for duty as an instructor at any of the Service's training institution or colleges shall be paid an instructor's allowance at a rate of fifty percent of his salary.
Transfer allowance	21. An officer who is transferred from one station to another shall be paid- (a) disturbance allowance at a rate of ten percent of his gross annual salary: Provided that, such allowance shall be paid to an officer who relocates his residence from one place to another due to such transfer; (b) subsistence allowance for a period of fourteen days to the officer, spouse, four children or dependants; and

(c) luggage allowance per tonne against kilometres.

Acting
allowance

22.-(1) Where a senior officer is authorised to act in a superlative substantive post by the appointing authority for not less than thirty days consecutively shall be paid an acting allowance.

(2) Any officer acting under subregulation (1) shall be granted an acting allowance at the rate of the difference between his substantive salary and that of the post in which he so acts.

Risk
allowance

23. Any officer performing any of the following duties shall be eligible to risk allowance based on the number of days or hours performing such duty at a rate to be determined by the Committee:

- (a) escorting a prohibited immigrant, illegal immigrant or deportee;
- (b) conducting marine duties; and
- (c) conducting border patrol.

Band
allowance

24. A band allowance shall be paid at the rate to be determined by the Commission where the band performs at any public event provided that, in case of a business event, the rate shall be thirty percent of the total collection.

Flying
allowance

25. An officer who is an aircraft pilot in possession of pilot's licence recognised by Tanzania Civil Aviation Authority shall be paid a flying allowance for the time he flies any Service's aircraft or helicopter at the rate equivalent to the rate payable to a civil pilot.

Special skills
allowance

26. Subject to any limitations which may be imposed by the Commissioner General, any officer who possesses extraordinary abilities which are beneficial to the Department may be paid a special skills allowance at such rate as the Department may, from time to time, determine.

Sitting
allowance

27. An officer of the Service shall, subject to the Government circular, be paid sitting allowance in respect of all statutory meetings attended by such officer.

Responsibility
allowance

28. The Commissioner General, Commissioners, Regional Immigration Officer and District Immigration Officer shall be paid, in addition to his monthly salary, a responsibility allowance at the rate of ten percent of his salary.

Utility
allowances

29. The Commissioner General, Commissioners, Head of Section or Unit, Regional Immigration Officer, District Immigration Officer, In-charge of Immigration Post Grade 'A' and officers shall be paid a monthly utility allowance to cover costs of electricity, water and telephone at a rate to be determined by Committee from time to time:

Parade
allowance

30. Any officer who participates in National Parade shall be paid parade allowance at a rate determined by the Government circulars.

Immigration (Rights and Privileges)

GN. NO.138 (Contd.)

Foreign service allowance	31. Any officer appointed and posted by the Commissioner General for Immigration duties in a foreign country shall be paid a foreign service allowance in accordance with Government circular.
Mission service allowance	32. An immigration officer assigned to a special mission abroad shall be eligible for the payment of mission service allowance as determined under the Government circular from time to time.
Orderlies allowance	33. Any officer responsible for body guarding and assisting his superior officer in the Service shall be paid an allowance of ten percent of his salary.
Recruits allowance	34. Any immigration recruit attending a recruit's course at any training institution shall be paid recruit course allowance as may be determined from time to time by the Committee.
Court attire allowance	35. Any officer appointed by the Director of Public Prosecutions to prosecute immigration cases in the courts of law shall be paid court attire allowance at the rate determined by Government circular.
Incidental allowance	36. Any officer travelling out of Tanzania for official duty shall be paid incidental allowance as follows: (a) for those whose costs are solely born by the Government, the officer shall be entitled to thirty percent of his subsistence allowance; (b) for those whose costs are born by the Government and any other agent, the officer shall be entitled to twenty percent of his subsistence allowance; and (c) for those whose costs are fully funded by an agent, the officer shall be entitled to ten percent of his subsistence allowance.
Sanitary towels allowance	37. Any female officer of the Service shall be entitled to be paid sanitary towels allowance every month at the rate to be determined by the Committee from time to time.
Training allowances	38. Any officer appointed by the Commissioner General to attend any training course in or outside the country shall be paid training allowance as follows: (a) where the training institute is away from the work station, subsistence allowance provided that, the training does not exceed thirty days, (b) other payments according to the rules and regulations of the respective training institute for a training course beyond six months; and (c) officers attending training course near their work station for a period not exceeding six months shall be paid fifty percent of subsistence allowance, provided that, where the period of training exceeds six months, such officer shall be paid twenty percent of the subsistence allowance.

Immigration (Rights and Privileges)

GN. NO.138 (Contd.)

Other allowances 39. An officer in the Service shall be entitled to any other allowances stipulated in circulars issued from time to time by the Authority.

FISRT SCHEDULE

(Made under regulation 6(2))

ENTITLEMENT ALLOWANCES

- (a) ration allowance
- (b) duty free allowance

SECOND SCHEDULE

(Made under regulation 6(3))

ELIGIBLE ALLOWANCES

S/N.	ALLOWANCE CATEGORY	RATE
1.	Subsistence allowance	Subject to Government circular.
2.	Transport allowance	Subject to Committee's determination
3.	Professional allowance	15% of monthly salary
4.	Special duty allowance	Subject to Committee's determination
5.	Trade pay allowance	15% of monthly salary
6.	Outfit allowance	Subject to Government circular on allowances
7.	Plain cloth allowance	10% of monthly salary
8.	Uniform allowance	15% of monthly salary
9.	Intelligence allowance	15% of monthly salary
10.	Housing allowance	15% of monthly salary
11.	Mileage allowance	Subject to Government circular on allowances
12.	Instructors' allowance	50% of monthly salary
13.	Transfer allowance	As determined by the Government
14.	Acting allowance	Difference of the Superlative post salary
15.	Risk Allowance	Subject to Committee's determination
16.	Band allowance	12%
17.	Flying allowance	Subject to Civil Aviation Regulations
18.	Special skills allowance	12%
19.	Sitting allowance	Subject to Government circular on allowances
20.	Responsibility allowance	10%
21.	Utility allowances	Subject to Committee's determination
22.	Parade allowance	Subject to Committee's determination
23.	Foreign service allowance	Subject to Committee's determination
24.	Mission services allowance	Subject to Committee's determination
25.	Orderlies allowance	10%
26.	Recruits allowance	Subject to Committee's determination
27.	Court attire allowance	Subject to Committee's determination

Immigration (Rights and Privileges)

GN. NO.138 (Contd.)

28.	Incidental allowance	Subject to Government circular on allowances
29.	Sanitary towels allowance	Tshs. 30,000 per month
30.	Training allowance	Subject to Government circular on allowances
31.	Honoraria allowance	Subject to Commissioner General's determination

Dodoma,
4th March, 2022

HAMAD YUSSUF MASAUNI
Minister for Home Affairs