

## GENERAL INFORMATION

<b>Capital:</b> Dodoma	<b>Population:</b> 53,470,420	<b>GDP:</b> USD 45,528 Million
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## LEGAL AND INSTITUTIONAL FRAMEWORK

- PPP Law and other applicable texts**
- The Public Private Partnership Act (Amended), 12 May 2014 (as PPP Act)
  - The Public Private Partnership Regulations (Amended), 27 November 2015 (as PPP Regulations)The Public Private Partnership Regulations, 2011 as amended by the PPP Amendment Act, 2014
  - Public Procurement Act, 2011, as amended in 2014
  - National Public-Private Partnership Policy, 2009

- Other Applicable Sectoral Laws**
- The Tanzania Investment Act, 1997
  - PPA Act, 2012
  - Electricity Act, 2008

**PPP Unit (Art. 4-7 of PPP Act)** Public Private Partnership Centre, within the Office of the Prime Minister

**Definition (Art. 3 of PPP Act) (Art. 4 of PPP Regulations)**

The PPP Act defines the public private partnership: “public private partnership” means investment through private sector participation in a project undertaken in term of this Act

The PPP Regulations specifies the notion of PPP as below: “partnership” means a contractual arrangement between a contracting authority and a private party in which the private party-

- (a) undertakes to perform a contracting authority’s function on behalf of the contracting authority for a specified period;
- (b) assumes substantial financial, technical and operational risks in connection with the performance of the contracting

- authority's function or use of government property in accordance with agreed output specifications;
- (c) receives a benefit for performing the contracting authority's function or from utilizing the public property, either by way of
- (i) consideration to be paid by the contracting authority which derives from a revenue fund or where the contracting authority is a central government or local government authority, from the revenues of such authority; contracting authority is a central government or a local government authority, from the revenues of such authority;
  - (ii) charges or fees to be collected by the private party or an agent from users or customers; or
  - (iii) a combination of consideration and charges or fees.

**General Principles  
(Art. 4 of PPP Act)**

Principles of fairness, equity of treatment, transparency, competitiveness and cost effectiveness of procurement processes. process partner

**Tendering and contracting procedures / Choice of the private partnership  
(PPP Act and PPP Regulations)**

- Procurement process (PPP Act, art. 15 (2) / PPP Regulations, art. 28-55)
- Unsolicited bids (PPP Act, art. 12 / Public Procurement Act, art. 80 / PPP Regulations, art. 56-63)

**Project Evaluation  
(PPP Act and PPP Regulations)**

Feasibility study (PPP Act, art. 10 / PPP Regulations, art. 10-15)

**Negotiation and Signature of PPP Contracts  
(PPP Act and PPP Regulations)**

The agreements shall be signed by the accounting officer of the relevant contracting authority after it has been considered and cleared by the Public Private Partnership Technical Committee, approved by the National Investment Steering Committee and vetted by the Office of the General Attorney (PPP Act, art. 14)

**Rights and Obligations of the public partner  
(PPP Act)**

- Roles of public and private sectors (PPP Act, art. 8)
- Responsibilities of contracting authority (PPP Act, art. 9 / PPP Regulations, art. 16)
- Obligations to be specified in the agreement (PPP Act, art. 11)

**Rights and Obligations of the private partner (Art 8 and 11 of PPP Act)**

- Roles of public and private sectors (PPP Act, art. 8)
- Obligations to be specified in the agreement (PPP Act, art. 11)

**Obligations of both public and private partners** No provision in the Law.

**Applicable Law**

- The laws of Mainland Tanzania or any other laws agreed by the parties (PPP Act, art. 11 (6))

**Dispute resolution**

- Any dispute arising during the course of the agreement shall be resolved through negotiation, mediation or arbitration (PPP Act, art. 22)

## EXAMPLES OF PROJECTS STRUCTURED AS PPP

<b>Energy</b>	<ul style="list-style-type: none"> <li>Kinyerezi III and IV Gas Power Project (900 MW)</li> <li>Mkuranga Gas Power Project (250 MW)</li> <li>Ngaka Coal Power Project (200 MW)</li> <li>Singida Wind Power Project (150 MW)</li> </ul>
<b>Urban Transports</b>	Bus Rapid Transit – Dar es Salaam
<b>Ports</b>	Bagamoyo Port