

AFRICAN COUNTRIES' LABOUR LAWS AND REGULATIONS AND THEIR INFLUENCE ON THE INVESTMENT OF FOREIGN ENTERPRISES; A TANZANIAN REFERENCE

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ABSTRACT

Labour has a very important role to an investment enterprise as it plays an important role in the day to day business operations. Where there is labour and investment, Labour law is inevitable. The justification being labour law address the asymmetric relationship between workers and employers. For that purpose, it provides procedural and substantives safeguards. This is possible if employers and the employee's rights and obligations are very well articulated, protected and guaranteed by an efficient legal framework. To date, Labour law and regulations serves as a vehicle of promoting worker empowerment and protection. It governs employee- management relationships, both individual and collective.

This paper, analyses the influence of labour laws and regulations on foreign investment, taking Tanzania as a case study. Tanzanian labour laws and regulations set standard and requirements of employment that regulate both foreign and domestic employers and employees of domestic and foreign enterprises. The paper considers the fact that, the law sets the number of non-citizens to be employed in a foreign investment enterprise. This is in consideration of the need to hire foreign experts and employees by foreign investors due to failure to find the same with appropriate qualifications from the citizens.

Moreover, the Tanzania's investment policy among other things holds that, there should be a conducive environment created by the government to attract foreign investment. and, once a foreign investment is admitted, there must be a conducive environment to promote, protect and encourage investment, this includes having laws that lays a fair ground for investor, labour

laws and regulations inclusive. However, this is being implemented while pursuing Tanzania economic self-interest.

1.1 INTRODUCTION

In Africa, there has been a strong increase in Foreign Direct Investment (FDI) since 2010. According to the 2022 World Investment Report states that FDI flows to Africa totalled USD 83 billion in 2021, up from USD 39 billion in 2020, which is 5.2 percent of global FDI.ⁱ The continent's good economic performance has led to the rise in investment including in manufacturing, services, exploration and exploitation of natural resources. China for instance has established rules of global presence and continuity of growth of its economy through the mechanism of FDIs. These investments are characterized by not only investing in developed countries but also developing countries specifically African countries.ⁱⁱ FDI among other things, enhance economic growth in recipient/host countries. It is expected to bridge savings, foreign exchange, technology, employment and other gaps that impede most developing countries like Tanzania from achieving the desired level of economic growth.ⁱⁱⁱ

The government of Tanzania has a favorable attitude towards FDIs, History proves success in attracting FDI. In 2015 it was reported that, Tanzania Attracted USD 2.142 billion of FDI inflow, therefore accumulating FDI stock of USD 14.86 billion which was the highest in East Africa region.^{iv} By 2021 her FDI rose by 35 per cent USD 922 million.^v Further, the government has attracted investment in both the productive and the extractive sectors through the coordination of Tanzania Investment Centre^{vi} (TIC) which is the primary agency of the government to coordinate, encourage, promote and facilitate investment in Tanzania.^{vii}

Labour/ employment and investment are different disciplines that depend on each other. Therefore, labour laws of any state have implications on an investment be it a domestic or a foreign investment enterprise. Any investment enterprise needs labour force and experts to run its day to day activity. The labour force/ employment is regulated by labour laws of the host state.

The dependence on each other of these two disciplines has impacts on both disciplines. Foreign Direct Investment (FDI) has both positive and negative on employment. One of the positive effects is job creation. The effect of job creation however, depends on a number of factors

namely; investment sector and trade orientation, the labour market condition and infrastructure in the host economy, production cost and trade industrial regimes of the host country.^{viii} And its negative impact may include creation of unemployment, for example, FDI that comes through Mergers and Acquisitions (M&As) may lead to labour shedding in acquired firms, as a result of restructuring of activities in line with objectives underlying the M&A.^{ix}

The legal framework governing FDI in Tanzania is based on various sources of law, the sector lacks specific law regulating FDIs. Therefore, the major sources of laws remain to be Bilateral Investment Treaties (BITs), Investment Chapters of a free trade area and Regional investment agreements. For domestic legislations, the sources include The Tanzania Investment Act,^x The Capital Markets and Securities (Foreign Investors) Regulations,^{xi} The Public – Private Partnership Act and Its Regulations.^{xii} Other laws affecting investment include the laws on employment, taxation and land acquisition as well as sector-based laws such as mining laws.^{xiii}

International investment agreements do not address social matters such as labour. They aim at creating conducive environment for the flow of investment and leave the social aspect aside, if included in Bilateral Investment Treaties (BITs) they are only declaratory and not legally binding. With BITs, states do agree to on reciprocal standard of treatment of aliens, and place these obligations on each other.^{xiv} For Instance, United States International Investment Agreements have incorporated provisions on labour matters in its agreement with Mozambique in 1998.^{xv}

2.0 LABOUR LAWS AND REGULATIONS IN TANZANIA AND ITS IMPACT ON FOREIGN INVESTMENT

This section of the paper makes an analysis of labour laws in Tanzania and their relationship with foreign investment, which include international law and domestic law. International law includes all international treaties on labour matters that Tanzania has ratified and all international declaration in relation to labour matters.

Among factors that foreign investors consider before importing capital for investment in a foreign country are a conducive environment for investment, these includes infrastructure and public services, political stability, economic stability and a legal framework that among other things promote and protect foreign investment. The legal framework has to be stable,

predictable and consistence. An investor needs to know beforehand the rules, regulations, relevant policies and their aims, administrative policy and directives that will govern investment. This is important as it will enable the investor to plan and abide by them, more importantly ascertain protection of economic interest of his investors in the host state.^{xvi}

The legal framework provides for general legal requirements to be met by an investor, which include among others, registration and licensing, taxation requirements, protection of investment and employment requirements. Labour laws regulate the relationship between the employer and the employee. The laws regulate the relationship that surrounds rights and obligations of the employer and the employee, employment requirements and dispute settlement mechanism in case of a dispute in the due course of employment. If labour laws do not create a favourable environment for FDI's, then it will have a negative impact on the inflow of FDI's in a country.

The Employment and Labour laws of Tanzania reflect political priorities of pre-1990. They are designed to support the public sector in a centrally planned economy. Issues of security of employment, minimum wage and basic employment standards are of paramount consideration. Their impact on foreign investment is to make relatively expensive to terminate employees which has a negative impact as it makes investment enterprises wary about creating jobs and employing labour on a permanent basis.^{xvii}

Under domestic law the major legislations regulating employment and labour, namely; The Employment and Labour Relations Act^{xviii}, the Labour and Institutions Act^{xix}, the Employment and Labour Relations (Code of Good Practice) Rules,^{xx} the Employment and Labour Relations (General Regulations),^{xxi} the Non - Citizens (Employment Regulation) Act^{xxii} and other legislations that have an impact on foreign investments namely the Immigration Act,^{xxiii} The Tanzania Investment Act and the Export Processing Zone Act.^{xxiv}

2.1 International Labour Law

The end of World War I marked the beginning of the development of international labour law, as well the formal origin of the International Labour Organization (ILO)^{xxv} at the Peace Conference. For the first time governments and representatives of the world work were entrusted with the developing proposals on matters relating to labour.^{xxvi} As a result the Peace Conference through the Commission on International Labour Legislation led to the inclusion,

in the Treaty of Versailles and other Peace Treaties, of Part XII , which dealt with labour matters and which provided for the establishment of ILO.^{xxvii} The ILO has constantly strived to increase coherence and improve the impact of international labour standard and has done so on a regular basis.^{xxviii} Through ILO the world has practically experience and implement international labour law .

By definition International Labour Law is understood as part of labour law which has an international source. It covers rules of substantive law which have been established at international level, as well as procedural rules for their adoption and implementation.^{xxix}

International labour law is applicable and binding on a state upon ratification and domestication of that particular international treaty (ies).^{xxx} Thus a ratified international instrument bind nationals and the government under internationally agreed standards in case their national law is inadequate or silent.^{xxxi}Tanzania is a signatory to a number of international labour conventions which include, the Convention Concerning Freedom of Association and Protection of the Right to Organise^{xxxii} and the Convention Concerning the Right to Organise and Collective Bargaining.^{xxxiii}These aforementioned and other international labour law instruments, provide for core rights and standards of labour law namely, prohibition of child labour, prohibition of forced labour, prohibition of discrimination and the right to association. These standards are articulated in Tanzanian labour law legislations.

2.2 The Employment and Labour Relations Act, CAP. 366 R.E 2019

The Act, herein after referred to as the Employment Act generally provides for labour standards, rights and obligations of the Employer and employee. The Act is in conformity with international labour standards set by International Labour Organisation.^{xxxiv}The Act among other things prohibits child labour, forced labour, discrimination in the work place and promotes the right of association.

Employment Act prohibits an employer to employment of children less than 18 years. In circumstances that an employer is suspicious of the age of an employee, he has the obligation to investigate, and satisfy himself of the age before hiring. There is an exception to this rule, under special circumstances a child may be hired but not below 14 years for him to work and earn a living and this should not prejudice the child's education.^{xxxv}

The Law also prohibits forced, the act make it an offence for an employer to exact forced labour from a person.^{xxxvi} Further the Act prohibits discrimination in the work place by the employer, trade union or employer's association.^{xxxvii} Moreover every employee has a right to form or join a trade union and participate in its lawful activities.^{xxxviii} The Act also lays out, employment standards this is in respect to working hours,^{xxxix} payment of remuneration,^{xl} annual leave,^{xli} maternity leave for female,^{xlii} employees sick leave,^{xliii} paternity leave, and compassionate leave^{xliv} and the right to strike and lockout.

The Act also provide for a dispute resolution, where the Act states that all Labour disputes must be referred to the commission for Mediation and Arbitration for mediation, if the mediation fails either party may refer the matter for arbitration to a CMA arbitrator, then further to the High Court Labour Division^{xlv} To this end a foreign investor is bound by the requirement including standards set by the Employment Act and what is prohibited by the Law, if he invests in Tanzania.

2.3 Employment and Labour Relations (Code of Good Practice) Rules, G. N No 42 of 2007

These rules were enacted by the Tanzania government in the year 2007 to facilitate the enforcement of the labour standard and rights articulated in the Employment Act.^{xlvi} The rules generally apply to all employees, employers, trade unions, arbitrators, mediators, judges and assessors.^{xlvii} These rules among other things prohibits discrimination in workplace, termination generally and when the same is fair or unfair, operational requirement, severance pay, suspension and lockouts and strikes.

2.4 Employment and Labour Relations (General Regulations) G. N No 47 of 2017

These rules were enacted also for the purpose of enforcement of the labour standards as provided under the Employment Act.^{xlviii} The regulations generally prohibit employment of children and lays out circumstances of employment of children by providing for standards of such employment.^{xlix} It also lays down employment standards generally especially the standard related to employment contract, payment of remuneration and leave.¹ Moreover, the regulations provides for employees associations and federation.ⁱⁱ

2.5 Non-Citizens (Employment Regulations) Act, No 1 of 2015

Studies show that, Tanzania lacks skilled labour in some sectors, this is regardless of the fact that, the number of university graduates continues to grow each year. Many foreign investors find that local labour is insufficient to fill even administrative positions. The government of Tanzania permit foreign investors to recruit up to five expatriates with the possibility of additional work permits granted under specific conditions.^{lii} Taking into consideration the need to employ personnel from abroad, the Tanzanian government enacted the Non-Citizens (Employment Regulations) Act to regulate and realign the legal regime for employment and engagement of non citizens in main land Tanzania.^{liii} This Act, compliments the Immigration Act^{liv} which also address the same.

The Act requires the minister of labour to publish with the government notice special fields where non citizens can be employed. As a matter of law , the Employer shall not employ ,engage or cause to be employed or engaged in any occupation a non- citizen unless the person has a valid work permit that allows him/her to be employed in the occupation specified in the permit or he/she has a valid certificate of exception issued by the relevant authorities.^{lv} Doing otherwise, the person will be committing an offence and shall, on conviction, be liable to fine of not less than ten (10) million or to imprisonment for a term of not less than two years or both.^{lvi}

In Tanzania every employer and foreigner have a right to apply for work permit however is not an automatic event. The Labour Commissioner is required before approving an application for a work permit, satisfy himself that all possible efforts have been explored to obtain a local expert.^{lvii}

Further, the employer of a non citizen is to prepare a succession plan, setting out mechanisms for transfer of expertise from non citizens to citizens employees establish an effective training program with an aim of capacity building to citizens who will take over employment obligations.^{lviii} Alongside the employer shall be required to comply with any other information directed by the Labour Commissioner when opting for recruiting a non-citizen employee.^{lix} The Act also set time limit for work permit to be two renewal of contract of renewal of employment contact , renewals shall not, in case, exceed eight years.^{lx} For an investor whose contribution to the Tanzania economy or the well being of Tanzanians through investment is of great value, the total period of valid of work permit may exceed ten years.^{lxi}

Conclusively, for a non citizen to be granted a work permit and be employed in Tanzania, the Labour Commissioner must be satisfied that; the prospective employee possesses qualifications or skills necessary for that employment, the unavailability of qualified Tanzanians for the position, whether his employment will be of benefit to Tanzania, the complexity of technology employed by business enterprise (employers) that necessitates the need of employing the foreign staff, Employer giving security for the permit prior to the prospective employee's entering the country or prior to issuance of the permit, Agreements reached with the investor (Employer).^{lxii}

2.6 Written Laws (Miscellaneous Amendments) Act, No.4 of 2021

The Act made several amendments, repeal and replaced clause(s) of the Non-Citizens (Employment Regulation) Act. The key being incentives to investors. The law provided that an investor registered with Tanzania Investment Centre and Export Processing Zone Authority may employ up to ten non-citizens without being subjected to conditions stipulated under the Non-Citizen (Employment Regulation) Act.

OTHER LABOUR- INVESTMENT RELATED LAWS IN TANZANIA

The following Laws do not, have a direct impact on foreign investment or a direct labour matter, but generally regulate the labour sector in relation to foreign investment of which any employer, regardless of his nationality has to abide by the rules articulated by the laws;

The Labour and Institutions Act,^{lxiii} this Act provides for governmental organs charged with the task of administering the labour laws in Tanzania. Such organs include, the labour, economic and social council,^{lxiv} the Commission for Mediation and Arbitration (CMA),^{lxv} Essential services committee,^{lxvi} the wage boards^{lxvii} and the Labour Court.^{lxviii} The CMA and the Labour Court constitutes the domestic labour dispute settlement mechanism.

The Tanzania Investment Act,^{lxix} is the major law regulating the investment sector in the country. The Act, establishes the Tanzania Investment Centre (TIC)^{lxx} whose main objective is being a one stop centre for investors, the primary government agency to coordinate, encourage, promote and facilitate investment in the country and advice the government on investment policy and other related matters. TIC has a number of functions, among others is to assist all investors obtain necessary permits, licences, approvals, consents, authorizations, registration

and other requirements needful, employment matters inclusive for an investor to set up and operate an investment enterprise.^{lxxi}

The Act further grants an incentive to foreign investment enterprises, by virtue of this incentive, an investor is entitled to an initial automatic immigrant quota of five personnel during the start up period. The number however may increase subject to an application done by the investor to TIC, where TIC with consultation with the immigration department and subject to consideration of factors such as, availability of skilled and qualified Tanzanians, the complexity of the technology employed by the business enterprise and agreement reached with the investor.^{lxxii}

The immigration Act,^{lxxiii} has provisions in relation to labour matters with regard to foreign investment. This Act generally regulates immigration matters, the deployment of expatriates is indispensable in foreign investment, therefore their entry and their stay in the host country is regulated by this law. The law among other things requires that, a non citizen to have both a residence and work permit while in Tanzania. In fact, to have a work permit all the time while in the country. This is made possible to foreign investors and their team they are deploying through investment incentives offered by TIC.

Another related legislation is the Export Processing Zone Act.^{lxxiv} The Act establishes, develops and manage export processing zones for creation of international competitive environment for trade and related matters. With regard to labour and foreign investment, the Act provides for incentives to investors, where the government provide work permit for the management and technical staffs with skills that are not locally available. The number of this staffs is to be determined by the minister for labour.^{lxxv} The Act further states that an investor who has trained local employees is exempted from training levy upon recommendation.^{lxxvi}

Other, rules on labour and investment are sector based, for instance, recently there has been new development in relation to labour and extractive sectors whereby the laws requires that every investors intend to operate in the mining^{lxxvii} and petroleum sector must comply with mandatory obligation of employing nationals and not otherwise.^{lxxviii} That before given licence to operate or perform any development in extractive gas the investor must submit local content plan which among many ingredients such plan must show employing locals and that every senior position taken by expatriate must be accompanied by succession plan of how local stuff will be enhanced on that post.^{lxxix}

3.0 CONCLUSION

The employment and labour relations legal framework of Tanzania was borrowed from the legal framework of South Africa. Which was enacted during the anti-apartheid movements, they therefore benefits the employee a lot compared to the employer. The employer in most situations is considered as the weaker party in an employment arrangement. It can also be noted that, the impact of labour laws on foreign investment is in consideration of the positive impact FDI has on developing states. That is, creation of employment, where in this regard, an investor has been limited on employment of non citizens, and is obliged to transfer skills to citizen when he engages non citizen experts. And, economic development of the host states as well.

To this juncture, it can be concluded that, Tanzanian labour laws lacks direct provisions on labour and foreign investment. However, they lay down basic employment standards that are universally accepted by the international community. Investment laws generally and other laws fills this loophole by having provisions on the implication of labour rules on foreign investment. They consider the fact that foreign investors may need to import experts, by way of immigration quota as incentives to investors to employ up to five personnel's. However, the SADC BIT Model has set guidelines in this respect, an approach that has been accepted region wide. The model sets out mandatory obligations not to lower among others, labour standards in order to attract or maintain foreign investment.^{lxxx}

The threshold is that, priority of employment is given to nationals, the middle and junior levels of employment in an investment enterprise are strictly for national, in case nationals do not qualify then it is required that, there should be capacity building by way of training organised by the investor to impart knowledge and skills. Exception is given to five senior posts as pointed out above.

ENDNOTES

ⁱ UNITED NATIONS UNCTAD (2022) World Investment Report also available at

<https://unctad.org/news/investment-flows-africa-reached-record-83-billion-2021> accessed on 8/11/2022.

ⁱⁱ KHODEIR, A. N (2016) Impact of Chinese Direct Investments on Employment in Africa, Journal of Chinese Economic and Foreign Trade Studies, Vol 9 Issue 2 pp.86 -101

ⁱⁱⁱ MJEMA, G.D (2007) The Impact of Foreign Direct Investments on Economic Growth of Developing Countries: Some Empirical Evidence from Tanzania, University of Dar Es salaam Journals, Vol 14, No 1-2

^{iv} UNCTAD(2015) World Investment Report of UN Conference on Trade and Development of 2015

^v Ibid

^{vi} Established by Section 4 of the Tanzania Investment Act, 1997. The Centre is a one stop for investors, it helps investors to obtain permits, licenses, visas and land access among other things.

^{vii} Tanzania, Bureau of Economic and Business Affairs, 2016 Investment Climate Statement, July 5, 2016, Retrieved from <https://www.state.gov/e/eb/rls/othr/ics/2016/af/254253.htm> _ Accessed on 10/05/2021

^{viii} HUANG, M and REN, P (2013) A study on Employment Effect of Chines Investment in South Africa, a Discussion Paper, Stellenbosch, p. 7

^{ix} Ibid

^x No 4 of 1997 is the principal legislation on FDI framework. It includes a few specific references to foreign investors on some FDI-specific issues, It: Established the Tanzania Investment Centre (TIC), giving it a significantly expanded mandate compared with that of its predecessor, Identified investment priorities, Introduced a new company registration process and Determined investment incentives and investors' rights applying equally to all investors.

^{xi} GN No. 338 of 2014, these Regulations Set Limitations on foreign investment, among other things, it limits investment in government bonds and public traded securities. Its implementation however, is faced by controversies.

^{xii} No. 18 of 2010 and GN No 165 of 2011, the Act among other things, provide a coordination unit within the Tanzania Investment framework, it also promote and coordinate all matters of public private partnership in various economic sectors.

^{xiii} UNCTAD, Investment Policy Review, The United Republic of Tanzania, UNCTAD/ITE/IPC/Misc. 9 p.30

^{xiv} PENFOLD, B Labour and Employment Issues in Foreign Direct Investments: Public Support, International Labour Office, Geneva, WP95- Labour and Employment Issues in Foreign Direct Investment.doc p.3.

^{xv} Under its article VII, the BIT states, each party shall permit covered investment under the treaty to engage in top managerial personnel of their choice regardless of their nationality.

^{xvi} Teemed v. Mexico, ICSID Case No ARB /00/2 Award of 29 May 2003, See also CMS Gas Transmission Company Ltd v. The Argentine Republic ICSID Case No ARB/01/8 of 12 may 2005.

^{xvii} UNCTAD, Tanzania Investment Policy Review p.38.

^{xviii} Act No 6 of 2004.

^{xix} Act 7 of 2007.

^{xx} G.N No 42 of 2007.

^{xxi} G.N No 47 of 2017.

^{xxii} No 1 of 2015.

^{xxiii} No 7 of 1995.

^{xxiv} No 11 of 2002.

^{xxv} According to the International Bar Association, Global Employment Institute and International Organization of Employers Report on International Labour Standards in the Contemporary Global Economy defines ILO as a United Nations agency devoted to promote social justice and labour rights, pursuing its mission that labour peace is essential to prosperity. To date ILO stand out as a unique forum in which governments and social partners of its 187 member states can freely and openly debate to stimulate decent employment growth, promote rights at work enhance social protection and strengthen social dialogue.

^{xxvi} International Labour Office (2001) International Labour Standards A Global Approach of the Committee of Experts on the Application of Conventions and Recommendations, International Labour Organization p 1.

^{xxvii} VALTICOS , N (1979) International Labour Law , Springer Science + Business Media Dordrecht p.17.

^{xxviii} International Labour Office (2001) International Labour Standards A Global Approach of the Committee of Experts on the Application of Conventions and Recommendations, International Labour Organization p 1.

^{xxix} VALTICOS , N (1979) International Labour Law , Springer Science + Business Media Dordrecht p.17.

^{xxx} This is a dualist approach by dual states.

^{xxxi} www. ilo.org /global /standards /introduction to international labour standards/- Accessed on 20th May 2021

^{xxxii} Of 1948 (No 87) Ratified in 2000.

^{xxxiii} Of 1949 (No 98) Ratified in 1962.

^{xxxiv} Section 3(g) of the Act stipulate that the objective of the Act shall be to give effect of the core Conventions of the International Labour Organization as well as other ratified convention.

^{xxxv} Section 4 of the Act.

^{xxxvi} Section 6 of the Act.

^{xxxvii} Section 7 and 8 of the Act.

^{xxxviii} Section 9 of the Act.

^{xxxix} Sub -Part B of the Act.

^{xl} Sub -Part C of the Act.

^{xli} Section 31 of the Act.

- xlii Section 33 of the Act.
xliii Section 32 of the Act.
xliv Section 34 of the Act.
xlv Part VII of the Act.
xlvi Made under Section 99(1) of the Employment and Labour Relations Act, no 6 of 2004.
xlvii Rule 2 of G. N. 42 of 2007.
xlviii Made under Action 98(1) of the Employment and Labour Relations Act, no 6 of 2004.
xlix Part II of the Regulations.
¹ Part III of the Regulations.
li Part IV of the Regulations.
lii Tanzania, Bureau of Economic and Business Affairs, 2016 Investment Climate Statement, July 5, 2016, Retrieved from <https://www.state.gov/e/eb/rls/othr/ics/2016/af/254253.htm> _ Accessed on 10/05/2021
liii The Long title of the Act
liv Cap 54 R. E 2016.
lv Section 9 (1) (2) of the Act
lvi Section 9(3) of the Act
lvii Section 11 (2) of the Act
lviii Section 7 of the Act
lix Ibid
lx Section 12 (4) of the Act reading together with Section 43 of the Written Laws (Miscellaneous Amendments) Act, No. 4 of 2021.
lxi Section 12(5) of the Act
lxii Section 11 of the Act
lxiii No 7 of 2007 , CAP 300 R.E 2019
lxiv Section 3 of the Act
lxv Section 12 of the Act
lxvi Section 29 Of the Act
lxvii Section 35 of the Act
lxviii Section 50 of the Act
lxix No 26 of 1997
lxx Section 6 of the Act
lxxi Section 6(d) of the Act
lxxii Section 24 of the Act
lxxiii No 7 of 1995
lxxiv No 11 of the Act
lxxv Section 17(1) of the Act
lxxvi Section 17(2) of the Act
lxxvii The Mining (Local Content) Regulations of 2018, Order 12(ii) and (iii) Priority given to Tanzanian if they do not have qualifications then they must be trained. See also Order 20 and 21.
lxxviii Section 51 (2) (v) of the Petroleum Act No 17 of 2015, where an investor applying for an exploring license in the petroleum sector must, submit a proposal on the local content plan of training and employing citizens of Tanzania. See section 67 of the same Act requires the same while applying for a development license.
lxxix This is also supported by the Petroleum (Local Content) Regulation of 2017 on priority given to nationals on training and employment. Order 8(a) read together with order 11 (content of a local content plan on training and succession plan).
lxxx Article 22 of the South African Development Commission (SADC) Model, Bilateral Investment Treaties Model Template, 2012