

2021



STARTING BUSINESS IN TANZANIA




**ATLAS
NETWORK**

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ABBREVIATIONS

BEST	Business Environment Strengthening in Tanzania
BRELA	Business Registration and Licensing Authority
BRN	Big Results Now
ESAP	Enhanced Structural Adjustment Programme
FYDP II	Second Five Year Development Plan
GDP	Gross Development Product
LGA	Local Government Authority
MIT	Ministry of Industry and Trade
MTEF	Medium-Term Expenditure Framework
NESP	National Economic Survival Programme
NSGPR	National Strategy for Growth and Poverty Reduction
OECD	Organization for Economic Co-operation and Development
OPI	Organizational Performance Index
ORS	Online Registration System
OSHA	Occupational Safety and Health Authority
PSD	Private Sector Development
PSRC	Parastatal Sector Reform Commission
RIA	Regulatory Impact Assessment
SAP	Structural Adjustment Programme
SSRA	Social Security Regulatory Authority
TBS	Tanzania Bureau of Standards
TFDA	Tanzania Food and Drug Authority
TIN	Tax Identification Number
TIRA	Tanzania Insurance Regulatory Authority
TRA	Tanzania Revenue Authority
WCF	Workers Compensation Fund

EXECUTIVE SUMMARY

1.0 Introduction

Doing Business measures aspects of business regulation affecting small domestic firms located in the largest business city of 190 economies. The strength of the business environment is scored on the basis of an economy's performance in each of the 10 areas included in the ease of doing business ranking

The ease of doing business score serves as the basis for ranking economies on their business environment; the ranking is obtained by sorting the economies by their scores. According to the results of the survey that was carried out in May 2019 World Bank Doing Business Report, Tanzania moved up by 3 positions from 144 in 2018 to 141 in 2019 among the 190 economies. Doing business is the result of smooth start of the same business. The two aspects of Doing Business and Starting Business are complementary to each other. This study focuses on a single aspect i.e. Starting Business in Tanzania considering the three measures: procedures, time and cost, and paid-in minimum capital requirement. The paper responds to the policy formulations process requirements from The Liberty Sparks which is an educational and Research, Free Market based Think Tank, and with a mission to improve and promote individual understanding on economic, social, and political liberty.



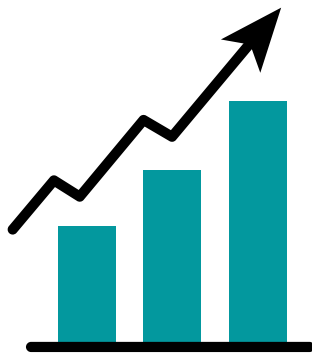
2.0 Objectives and Methodology

The broad objective of this study is to develop a policy paper on starting a business in Tanzania. Specifically, the study seeks to address the following key areas:



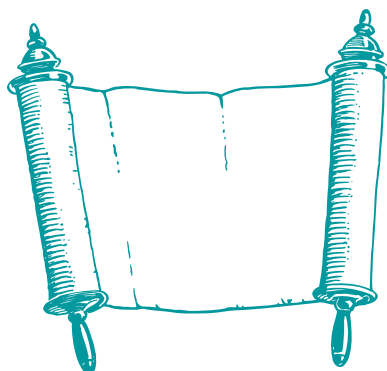
Objectives 1

To review the status of starting business; procedures, time and cost by referring to the World Bank paper on “Ease Doing Business in Tanzania 2020” and accordingly come up with identified gaps.



Objectives 2

Recommend the policy reforms to be incorporated in Policy Formulation Processes.



Objectives 3

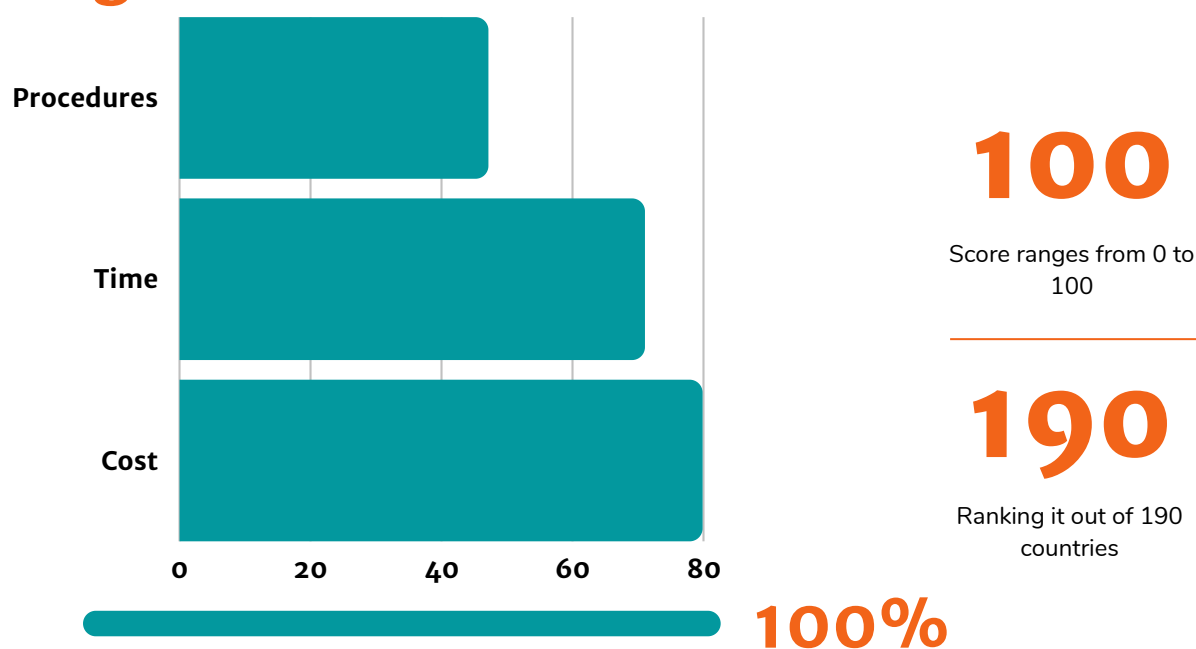
To produce a high level policy paper to be presented to policy makers

The study used mixed research. The methodology that was adopted has three components: desk work in existing documents, fieldwork through interviews and collecting views from informants and consultations at round tables and workshops.

3.0 Analysis of Study Findings

- Starting a business scored 74.4 distributed as follows: procedures= 47. Time =70.9, Cost= 79.7, Paid-in Minimum Capital100. Compared to other countries, Doing Business (DB) 2020 Starting a Business Score ranges from 0 to 100 and ranking it out of 190 countries. Tanzania has recognized that the low ranking position in starting a business indicator is not desirable. In response, Tanzania continues to pursue various attempts to improve the business environment. The most recent and comprehensive reform programme is the Blueprint;

Starting a business scored distribution



- A recent analysis of the Tanzania BLUEPRINT has revealed weak commitment of implementing agencies to timely implement the regulatory reforms and insufficient budgetary allocation for business environment reforms and slow change of mindset towards quality regulatory reforms. It is in this context that the Blueprint is designed to make strategic reforms on the current regulatory framework in order to address challenges of doing business. Such challenges manifest themselves in long and complicated procedures of among others, for starting a business in Tanzania, in the form of unnecessary delays and red tapes.

The main objective of the Blueprint is to propose reforms to improve the Business Environment in Tanzania through reduction of the regulatory burdens and risks faced by businesses in complying with regulations. The proposed reforms will reduce the regulatory burdens to businesses. To address both high costs of compliance and enforcement in Tanzania to create an enabling business environment. Undertaking some necessary business reforms to improve the investment climate in Tanzania as stipulated in the Blue-Print and other major reforms over the period between 2019 and 2020, with visible changes in various areas such as;

- The Blue-Print has depicted a number of regulatory reforms whose implementation is still struggling and more efforts are required to support the execution process. Some of these areas are;



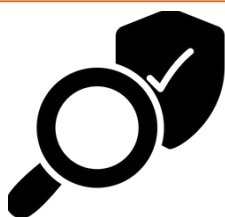
One

Existence of high compliance costs in monetary terms and time.



Two

Cumbersome pre-approval procedures leading to rent seeking tendency, corruption.



Three

Proliferation of informality and loss of Government revenue, including the existence of loopholes in laws and regulations which are retrogressively used by regulators during the conduct of inspections;

- The report has categorized the details' requirement for starting a business per sector in Tanzania. The business sub-sectors that were described are:-Energy Industry (Petroleum Shell), Agro-Processors Industry; Pharmacy Industry; Supermarket; Real Estate Industry and mining;

- The Challenges Facing SMEs in Starting Business in Tanzania were outlined and several challenges the SMEs face in the starting of a business in Tanzania were identified, a list of constraints were mentioned during the interview with business. These include the following

01

High costs associated with certification

02

Financial Institutions do not provide initial capital

03

Existence of high compliance costs in monetary terms and time, cumbersome pre-approval procedures leading to rent seeking tendency, corruption and proliferation of informality

04

Prevalence of high costs in enforcing the implementation, both at the central and local government levels.

05

There is conflict of interest between carrying out the regulatory function and raising revenue

06

The stakeholders in the privates sector are not adequately involved in the dialogue processes of the existing policies and regulatories reforms

07

Online service delivery and integration of available electronic systems not fully rolled out hence leading to asymmetries in service delivery systems. Processing online has not managed to make sure that all systems are integrated and therefore talking to each other.

08

There is a tendency on the part of some Ministries Department and Agencies (MDAs) to view business environment reforms as an exotic program instead of viewing the reforms as central to their Strategic Plans.Mindset change is still lagging behind the intentions and objectives of the regulatory reforms.

4.0 Recommendations



Separate revenue motives from the regulatory rationale of regulatory agencies



Consolidate similar regulations and remove overlaps of mandates for regulators .



Establish special arrangements for educating businesses the new changes and improvements so they can use them. For instance, TRA officer could educate the clients on tax procedures and processes.



The 1-2 years exemptions to local starting businesses to motivate more businesses to start



As revealed, major improvement is that most applications for business registration and licensing are now done online. Even though, the online application is still not friendly to a number of new entrants, especially those applying for business registration. The next stage should be to redesign the online application system to be more integrative and user friendly for new applicants



Establish a one-stop window for starting a business, so everything can be done either under one roof or one website.

As much as possible the procedures, cost and time involved in starting a business should be made very simple, basically providing the authorities with information that a business is starting. Other processes may follow after the business has been registered and is in operation.

1.0 INTRODUCTION AND BACKGROUND

Doing Business measures aspects of business regulation affecting small domestic firms located in the largest business city of 190 economies. In addition, for 11 economies a second city is covered. Doing Business covers 12 areas of business regulation. Ten of these areas starting a business, dealing with construction permits, getting electricity, registering property, getting credit, protecting minority investors, paying taxes, trading across borders, enforcing contracts, and resolving insolvency are included in the ease of doing business score and ease of doing business ranking. Doing Business also measures regulation on employing workers and contracting with the government, which are not included in the ease of doing business score and ranking (World Bank Group, 2020) .

The strength of the business environment is scored on the basis of an economy's performance in each of the 10 areas included in the ease of doing business ranking. The ease of doing business score serves as the basis for ranking economies on their business environment; the ranking is obtained by sorting the economies by their scores. The ease of doing business score shows an economy's absolute position relative to the best regulatory performance, whereas the ease of doing business ranking is an indication of an economy's position relative to that of other economies. This approach facilitates the comparison of regulation across economies. The ease of doing business score shows an economy's absolute position relative to the best regulatory performance, whereas the ease of doing business ranking is an indication of an economy's position relative to that of other economies. In addition to ranking, the report also presents information on the improvements that have been made by various countries. In 2020, 115 economies made it easier to do business worldwide. Only two African economies rank in the top 50 on the ease of doing business.

According to the results of the survey that was carried out in May 2019World Bank Doing Business Report, Tanzania moved up by 3 positions from 144 in 2018 to 141 in 2019 among the 190 economies.

This study focuses one area i.e. on Starting Business measures in terms of procedures, time and cost, paid-in minimum capital requirement.For starting a business, Georgia and New Zealand have the lowest number of procedures required. New Zealand also holds the shortest time to start a business (0.5 days), whereas Rwanda and Slovenia have the lowest cost (0.0). Australia, Colombia, and 118 other economies have not paid-in minimum capital requirement (Source: Doing Business database, 2020).

This study focuses on starting business according to the Terms of Reference as provided by The Liberty Sparks which is an educational and Research, Free Market based Think Tank.

Liberty Sparks mission is to improve and promote individual understanding on economic, social, and political liberty. Wezesha is one of the core programs of Liberty Sparks that focuses on researching and recommending the reforms on starting a business in Tanzania.

2.0 OBJECTIVES AND METHODOLOGY

2.1 OBJECTIVES

The broad objective of this study is to develop a policy paper on starting a business in Tanzania. Specifically, the study seeks to address the following key areas:

- (i) To review the status of starting business; procedures, time and cost by referring to the World Bank paper on “Ease Doing Business in Tanzania 2020” and accordingly come up with identified gaps.
- (ii) Recommend the policy reforms to be incorporated in Policy Formulation Processes.
- (iii) To produce a high-level policy paper to be presented to policymakers.

2.2 METHODOLOGY

2.2.1 Data Collection

The study used mixed research. The methodology that was adopted has three components: desk work in existing documents, fieldwork through interviews and collecting views from informants, roundtables and workshops.

- (i)The first component is desk review involving reference to the Doing Business Report of the World Bank and the Blueprint (Tanzania) and related documents.
- (ii)The qualitative research approach was applied to explore information from respondents. The participatory approach was adopted involving key stakeholders in the business sector as well as public sector officials who played a role in the processing of starting business permits. The primary data collection task targeted three main groups.

a. First group was SMEs that had recently started their businesses. SMEs were mainly selected stakeholder from Dar es Salaam businesses and associations. However, a few businesses were selected from outside Dar es Salaam such as in the mining areas.

b. The second group of stakeholders that was interviewed was business associations that were able to speak on behalf of their members.

c. The third group of stakeholder was Ministries, Departments and Agencies (MDAs). Primary data was collected through interviews with public officials who play a role in the process of starting business in Tanzania. These are mainly high level informants and decision makers who are involved in processing various aspects of starting a business.

(iii) The third component is consultations which were made through roundtables and workshops. The assignment included undertaking roundtable discussions in two stages.

a. The first stage involved conducting a workshop in which stakeholders discussed and agreed on the Inception Report. This meeting was held with the Liberty Sparks Project Team. The purpose of the meeting was to have a common understanding on the context and rationale of this assignment and agree on the mode and contents of the work from the beginning. The Consultant prepared study tools that guided consultative processes during field engagements. The tools were subjected to review and comments by the client prior to field consultative meetings. The Study Tool was a structured questionnaire that was designed to facilitate key informants' interviews, see attached in Annex I.

b. The second stage was a presentation of the draft report in a workshop of stakeholders. The participants had the opportunity to comment on the draft and those comments have been taken on board in producing the final report.

2.2.2 Data Analysis

The information (data) collected was analyzed and interpreted relative to the objectives and scope of this assignment.

2.2.3 Report Writing

Preparation of the report was made in two stages. In the first stage, the draft report was prepared and shared with the client who organized a workshop of stakeholders to discuss the draft report. The second stage was to take into account the comments which were made at the workshop of stakeholders and produced a final report.

3.0 ANALYSIS OF STUDY FINDINGS

3.1 World Bank Paper on Doing Business in Tanzania

3.1.1 Definitions and Approach

The aspect of Starting Business measures the number of procedures, time, cost and paid-in minimum capital requirement for a small- to medium-sized limited liability company to start up and formally operate in each economy's largest business city. To make the data comparable across 190 economies, Doing Business uses a standardized business that is 100% domestically owned, has start-up capital equivalent to 10 times the income per capita, engages in general industrial or commercial activities and employs between 10 and 50 people one month after the commencement of operations, all of whom are domestic nationals. Starting a Business considers two types of local limited liability companies that are identical in all aspects except for gender.

One company is owned by 5 married women and the other by 5 married men. The ranking of economies on the ease of starting a business is determined by sorting their scores for starting a business. These scores are the simple average of the scores for each of the component indicators

The rankings are benchmarked to May 1, 2019 and based on the average of each economy's ease of doing business scores for the 10 topics, included in the aggregate ranking. And for the economies for which the data cover two cities, scores are a population-weighted average for the two cities, the rankings are calculated based on the unrounded scores.

3.1.2 Ease of Starting a Business in Tanzania: World Bank Group 2020 Results

The Ease of Starting a Business in Tanzania is measured in the following 10 indicators:

1. Verify the availability of the proposed company name from BRELA;
2. Obtain a notarized declaration of compliance from the Notary.
3. Apply for company incorporation and obtain the certificate of incorporation from BRELA;
4. Obtain the TIN certificate from TRA
5. Apply for the VAT certificate from TRA
6. Apply for a business license from the MIT(or the LGAs).
7. Register for the workmens' compensation insurance from WCF/TIRA
8. Register with OSHA
9. Receive inspection from the OSHA
10. Obtain permit from SSRA
11. Obtain permit from SSRA

Table 3.1 below presents results of the World Bank survey on Doing Business in Tanzania in respect of Starting a Business. It presents results on a number of procedures, time it takes in days and cost in TZS.

Table.3.1: Procedures, Time, and Cost of Starting Business in Tanzania

Particulars	Procedures	Time	Cost
Verify the availability of the proposed company name Agency	BRELA Online Registration System:A new company would have a business name and a company name. The company can have different businesses or projects, which are registered under the umbrella of the company but can have different names. Prior to registering the company, the availability of both the company name and business name can be verified online at https://ors.brela.go.tz/orsreg/searchbusinesspublic . Once it was verified that the names are not used by existing companies	Less than one day (online procedure)	No charge
Obtain a notarized declaration of compliance Agency	Entrepreneurs visit the notary for notarization of the declaration of compliance. Notaries charge within the range of TZS 10,000-50,000 for notarial services for normal documents such as form No. 14 b.	1 day	TZS 10,000 – TZS 50,000
Apply for company incorporation and obtain the certificate of incorporation	The company will be registered online through the Online Registration System (ORS). To apply for a certificate of incorporation, a subscriber, secretary, or a person named in the articles of association as a director must submit the following documents -14a (First Directors and Secretary and Intended situation of Registered Office) -14b (Declaration of Compliance on Application for the Registration of a Company) - The Memorandum and Articles of Association are also filed with the forms.	6 days	TZS 337,200
Obtain the TIN certificate Agency:TRA	Once the company has been registered, the business founders must apply for tax registration at the Tanzania Revenue Authority (TRA) and obtain a tax identification number (TIN). The application for the TIN certificate is made by filling TIN application forms as follows: • Application for the company. • Application for each shareholder/director (in case any director has already issued with TIN certificates for other purposes, he or she cannot make another application. The same TIN number will be used). The application can be submitted online.	2 days	No charge
Apply for VAT certificate from TRA	AT registration takes 3 to 5 days if the proposed company has over the threshold income of TZS 100,000,000.	4 days (less than 1 day if applied online)	No charge

Particulars	Procedures	Time	Cost
Apply for a business license: Agency in the MIT (or the LGAs).	(LGAs) depending on the nature of business. Together with the application, the following documents must be submitted: 1) Certificate of incorporation; 2) Memorandum and Articles of Association; 3) Proof of Tanzanian Citizenship; 4) Proof of a suitable company premises; 5) Taxpayer Identification Number (TIN).	6 days	TZS 400,000
	Apply for the VAT certificate Agency : Tanzania Revenue Authority (TRA) VAT registration takes 3 to 5 days if the proposed company has over the threshold income of TZS 100,000,000	3-5 days	No Charge
Register for the workmens' compensation insurance: WCF/TIRA	To register for workers' compensation insurance, employers must complete the Workmen's Compensation Tariff Proposal Form. This form should be completed once the firm begins hiring employees and just before the firm becomes operational. However, because the insurance industry is privatized in Tanzania, employers may opt to take an insurance policy instead of the workmen's compensation	1 days	No charge
Register with OSHA	Any person being the owner or occupier of a workplace shall, before operating, be required to register such factory or work place. Therefore the applicant is required to complete the application form and provide the company's registration documents to OSHA. Prior to approving an application OSHA officials visit the premises for inspection on health and safety. The application requires the following: - Name of occupier - Address - Nature of work - Total number of employees	10 days (simultaneous)	No charge
Receive inspection from the OSHA	Prior to approving an application for the workplace, OSHA officials visit the premises for inspection on health and safety. A certificate of registration and certificate of compliance will only be issued once the OSHA officials are satisfied that the premises are in safe and good habitable condition	1 day (simultaneous)	No charge
Obtain permit from SSRA	Every employer in the formal sector is required to register his/her employees with any of the mandatory schemes, and it is the right of the employee to choose the mandatory scheme to register under. These mandatory schemes are established by law and guaranteed by the Government to provide social security benefits to employees. They include; NSSF, PPF, LAPF, and GEPF	7 day (simultaneous)	No charge

Source: Doing Business in Tanzania 2020. World Bank Group

The analysis indicated while applying to the company incorporation to obtain the certificate of incorporation. Someone has to fill and submit necessary forms which are then submitted. The registration is usually processed within 3-4 days and an electronic version of the certificate of registration will be provided to the applicant. The registration number will be the same as the company's tax identification number.

The company registration fees can be paid online and are charged according to share capital as follows:

- ◆ Share capital from 20,000 to 1,000,000: TZS 95,000.
- ◆ Share capital from 1,000,000 to 5,000,000: TZS 175,000.
- ◆ Share capital from 5,000,000 to 20,000,000: TZS 260,000.
- ◆ Share capital from 20,000,000 to 50,000,000: TZS 290,000.
- ◆ Share capital 50,000,000 and over: TZS 440,000.
- Filing fee: TZS 66,000: 22,000 per document.
- Stamp duty fee: Original memorandum and articles of association: TZS 6,200 + every additional copy: TZS 5,000. 6 days TZS 337,200 4
Obtain the taxpayer identification number.

In order to obtain the Tax Identification Number (TIN) certificate, one has to complete the tax registration, at least one of the directors of the company must be physically present at the tax office to give their fingerprints (biometric data). The applicant must visit TRA offices to pick up the TIN number in person. It is also mandatory for the company(firm) to declare its estimated income or turnover for the provisional tax assessment for the particular year. At the TRA office, the tax officer may interview the company founders/directors and record their business and personal particulars



3.1.3 Global Regulatory Performance in the Perspective of Starting Business

Table 3.2: Global Comparison in the Perspective of Starting Business

Topic and Indicator on Starting a business	Economy Establishing Best Regulatory Performance	The Best Regulatory Performance	The Worst Regulatory Performance	Tanzania	Sub-Saharan Africa
Number of procedures	Georgia; New Zealand	1	18	10	7.4
Number of days	New Zealand	0.5	100	29.5	21.5
Cost (% of income per capita)	Rwanda; Slovenia	0.0	200	40.6	36.3
Minimum capital (% of income per capita)	Australia; Colombia; Mauritius	0.0	400	0.0	9.3

Source: Doing Business in Tanzania 2020. World Bank Group

The results in Table 3.2 indicate that Tanzania ranks among the best countries in the world in terms of not imposing minimum capital requirements before starting a business. However, in terms of the other three indicators of starting a business Tanzania ranks low and even lower than the average of Sub-Saharan Africa.

Among 190 countries Tanzania ranked 162 in terms of starting a business. Tanzania ranks behind Kenya, Angola, Malawi, Botswana and the Sub Saharan Africa average. This indicates that Tanzania is one of the countries where obstacles to starting business are considerable. Averaging the scores of all components of starting a business Tanzania scores 74.4 which is lower than several countries in Eastern and Southern Africa as shown in Table 3.3 below.

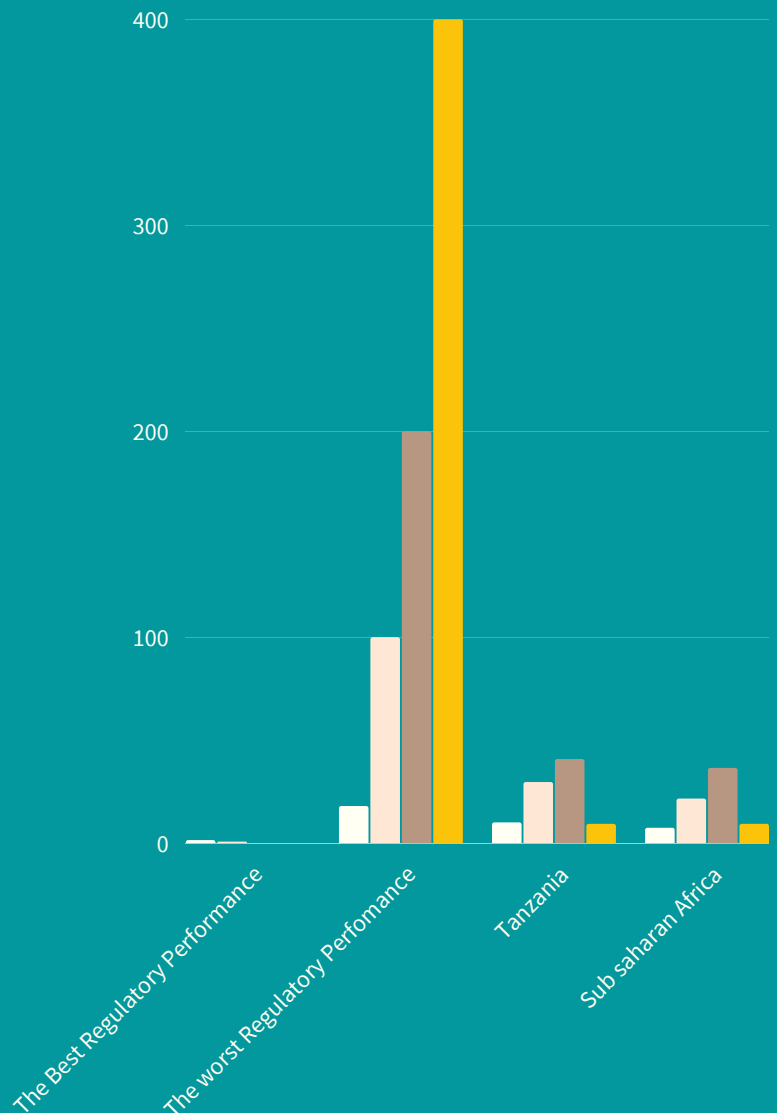


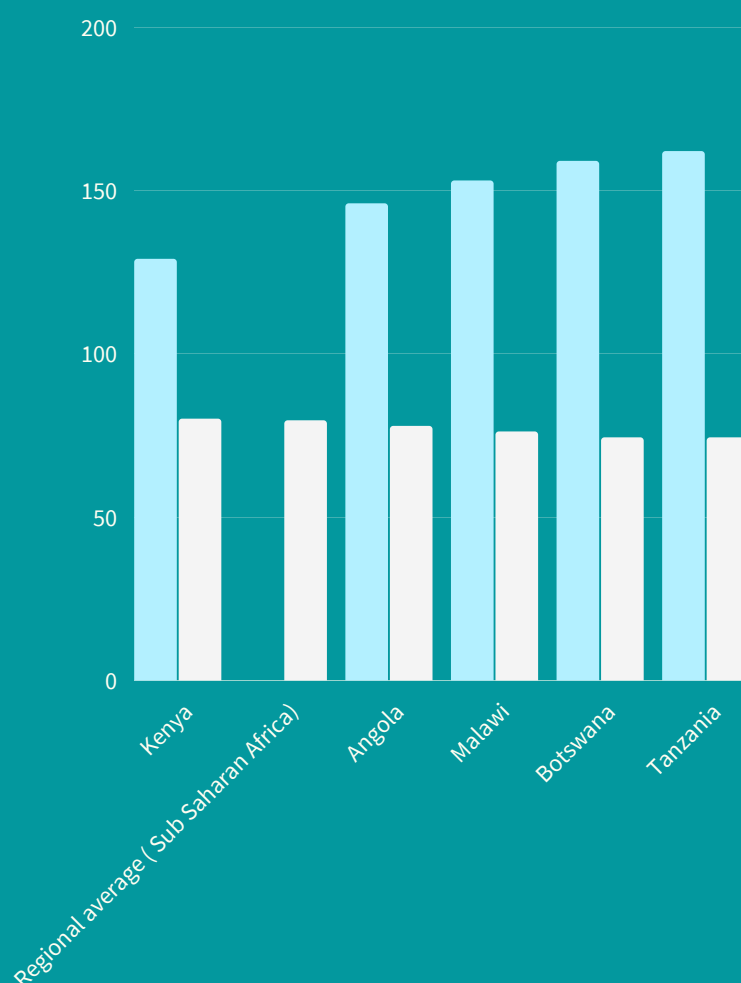
Table 3.3: Starting a Business: Ranking and Score

Country/ Region	Ranking out of 190	Scores out of 100
Kenya	129	80.1
Regional average (Sub Saharan Africa)	-	79.4
Angola	146	77.9
Malawi	153	76.2
Botswana	159	74.4
Tanzania	162	74.4

Source: Doing Business in Tanzania 2020. World Bank Group

Starting a business scored 74.4 distributed as follows: procedures= 47. Time =70.9, Cost = 79.7, Paid-in Min. Capital 100. Compared to other countries, Doing Business (DB) 2020 Starting a Business Score ranges from 0 to 100 and ranking it out of 190 countries as shown briefly in T. Kenya (Rank: 129) 80.1: Regional Average (Sub-Saharan Africa) 79.4: Angola (Rank: 146) 77.9: Malawi (Rank: 153) 76.2: Botswana (Rank: 159) 74.4: Tanzania (Rank: 162) 74.4.

The Ease of Doing Business in Tanzania has provided very useful information on the situation of starting business in Tanzania, with some analysis and comparison of other countries in the Global Perspective



3.2 Tanzania Policy and Regulatory Reforms

Tanzania has successively attempted to create a conducive business environment through strategic reforms, some of those reform initiatives are; business environment Strengthening for Tanzania (BEST), and Big Results Now (BRN). Despite the well-intended efforts to drive reforms with a view to achieving a vibrant economy, several policy and regulatory challenges have persisted. The Tanzania Blueprint provides a guide to achieving the industrialization dream of creating business-enabling environment where the government and the private sector work closely in persuade Tanzania Vision 2025

3.2.1 Blueprint for Regulatory Reforms in the Ease of Doing Business

Recent analysis in the BLUEPRINT{3} has revealed weak commitment of implementing agencies to timely implement the regulatory reforms and insufficient budgetary allocation for business environment reforms and slow change of mindset towards quality regulatory reforms. It is in this context that the Blueprint is designed to make strategic reforms on the current regulatory framework in order to address the challenges of doing business. Such challenges manifest themselves in long and complicated procedures of among others, for starting a business in Tanzania, in the form of unnecessary delays and red tapes.

The Blueprint provides Tanzania with a framework for enabling a holistic review of a business-enabling environment in order to improve the business climate. The proposals in the Blueprint are expected to push Tanzania to the frontier of ease of doing business. The holistic approach includes a review of the policy and regulatory agencies to ensure inclusive participation of the private sector, including SMEs.

Besides the BLUEPRINT, the Government and other stakeholders are cognizant of other efforts and initiatives, such as the Roadmap and its Comprehensive Action Plan (CAP). The 5thPhase Government is assertive that regulatory hurdles be addressed by bringing clarity in the regulatory regime and that the private sector operates in a friendly and predictable business environment.

In this regard, the main objective of the Blueprint is to propose reforms to improve the Business Environment in Tanzania through reduction of the regulatory burdens and risks faced by businesses in complying with regulations. The proposed reforms will reduce the regulatory burdens to businesses by:

1. Promoting transparency of the regulatory regime by using Information and Communication Technology (ICT) platforms that provide information on regulatory processes to the general public.
2. Adopting and implementing mechanisms that will promote and ensure an efficient regulatory policy. This will guarantee that the gains arising out of the reforms are not eroded by the introduction of new regulations of low quality
3. Simplifying the business-regulatory regime to avoid duplications and overlaps of mandates within the regulatory agencies.

The proposed reforms aim to address the remaining hurdles to doing business, including;

- Existence of high compliance costs in monetary terms and time in starting and operating business;
- Cumbersome pre-approval procedures, which create rent-seeking opportunities.
- Presence of a multiplicity and duplicity of processes;
- Loopholes in some of the laws and regulations that are applied by regulatory authorities; and,
- High costs of compliance and enforcement to both the government and private sector.

The effective implementation of the Blueprint reform proposals requires the regulatory agencies to review and enhance internal and external transparency and communication, including strict adherence to performance management culture. Tanzania's regulatory authorities should adopt and follow world-class Citizen's Client Charter, Performance Pledge and Customer Strategy, and Monitoring and Evaluation and guarantee feedback to the private sector timely. The Blueprint proposes mechanisms for robust monitoring and evaluation, such as Organizational Performance Index (OPI) to compare similar and related regulatory authorities, and production of national Ease of Doing Business Report to rank regions public and private organizations at Production, Supply and Consumption Stages.

The reforms on the Government side should be reciprocated by the private sector. It is expected that the private sector will strengthen their capacity for quality representation and dialogue with the Government. As such, the Government is expecting matched capacities among the private sector institutions to engage with the government formally, thus eliminating the vacuum and loopholes which encourage illegal networking and creating avenues for underserved privileges, corruption, and mistrust. If all parties involved in business adhere to the principles outlined in this Blueprint, Tanzania's business environment, including the starting of business in Tanzania, will be characterized by enhanced transparency, supportive rule based decisions, policy predictability, and accountability.

3.2.2 Major Reforms Undertaken through Tanzania Blue-Print

Tanzania has struggled to create an enabling business environment through undertaking some necessary business reforms to improve the investment climate in Tanzania as stipulated in the Blue-Print. Generally, there have been major reforms over the period between 2019 and 2020, with visible changes in various areas including:

- Removal of 236 charges/fees for procedures, applications and permits in all sectors of business.
- Up to six different fees and charges have been completely waived. The application form fees of Occupational Safety and Health Authority (OSHA) that cost between TZSs.50,000 to TZS 1,800,000 has been removed. After the removal of all these charges registration has increased from 3,000 to 19,000 in a period of one year
- At the moment, about 26 regulatory authorities issue business license online. Online registration of BRELA, WCF and online payment GEPG. The online application for permits for TRA, TBS, TMDA, GCLA, BRELA, TCRA, NEMC, TMC and others.
- The merging of institutions i.e., TFDA and TMDA has reduced overlap between regulatory institutions. There are more departments that have been merged or had components move from one to department to another. i.e., Tanzania Pesticide Research Institute and Department of Veterinary.

3.2.3 Impediments to the Implementation of Tanzania Regulatory Reforms

The Blue-Print has depicted a number of regulatory reforms whose implementation is still struggling, and more efforts are required to support the execution process. Some of these areas are;

- Existence of high compliance costs in monetary terms and time, cumbersome pre-approval procedures leading to rent-seeking tendency, corruption, proliferation of informality and loss of Government revenue, including the existence of loopholes in laws and regulations which are retrogressive used by regulators during the conduct of inspections;
- Prevalence of high costs in enforcing the implementation, both at the central and local government levels.
- There is a conflict of interest between carrying out the regulatory function and raising revenue. This, for example, explains why licensing in most cases is linked to revenue generation. There were also conflicting objectives of revenue and regulatory motives. Since the regulatory authorities depend on revenue from the fees and charges collected, it becomes very difficult for the authorities to implement the reforms that will lead to lowering fees and charges as this will lead to lesser revenue.
- The stakeholders in the private's sector are not fully involved in the dialogue processes of the existing policies and regulatory reforms. In most cases, most of the suggestions that the private sector has presented through their various apex and association have not been implemented and followed up systematically.
- Online service delivery and integration of available electronic systems not fully rolled out hence leading to asymmetries in service delivery systems. Processing online has not managed to make sure that all systems are integrated and therefore talking to each other.
- There is a tendency on the part of some Ministries Department and Agencies (MDAs) to view business environment reforms as an exotic program instead of viewing the reforms as central to their Strategic Plans. Mindset change is still lagging behind the intentions and objectives of the regulatory reforms.

3.3 TANZANIA EASE OF DOING BUSINESS IN TANZANIA 2020:RESPONSES FROM CONSULTATION

This section has examined the procedures, time and costs that are needed for starting a business in Tanzania.

3.3.1 Procedures, Time and Costs of Starting: Response from Business Community

The analysis presents the Tanzania business regulatory environment affecting domestic firms, which give a reflection on regulation for starting a business.

Table 3.4: The Procedures, Time and Cost of Starting a Business in Tanzania

Description of the process of Starting Business	Time	Cost (TZS.000)	Level (1-5) ⁴	Comments & Suggestions
Procedures	10 days to 3 weeks	500 to 2,000	3-4	To reinstate the registration of NIDA. The process for online registration you need to have an e-mail address, NIDA IDs, TIN number, also to have an account of ORS
Obtaining the TIN certificate	1 week	Free	4-5	Online registration is simple and easy. Sometimes it depends on the network.. Even though the system was regarded simple and easy, but improvement is still needed to reduce time for the processing of TIN
Obtaining the VAT certificate	1 week	Free	5	To many SMEs they are not eligible for VAT registrations.
Paying taxes before starting a business	1-5 days	500	2-3	Not common to some business taxes are paid on a quarterly basis, therefore three months after starting the business you are required to pay tax.
Paid-in minimum capital to start a limited liability company for men and	1 week	Uncommon	1	Not applicable to most SMEs
Business plan requirements	1 week 5 days	Free 500	2-3	To access the loans, you should submit your business plan, but the loan officers are a bit reluctant because they already have their soft copy business plan. My suggestion is to allow the business plan of the company to avoid unnecessary cost
Availability of funds needed to start the business.	1 week	It varies	1-2	This varies with the level of operations intended.
Employing workers: Flexibility in employment regulation before starting a business.			3	Unfortunately, most of the MSMEs businesses are family-owned businesses. Most skilled and unskilled labor force is available, employee people are not a challenge

⁴ The tool that was used to assess the policy related issues in the starting business in Tanzania used a scale of 1-5 indicating the ranking policy issue in starting business in Tanzania. Five levels were adopted as follows: 1 = Not relevant, 2= fairly developed, 3=Moderately developed, 4= Reasonably Well developed, and 5 = Very well developed.

Description of the process of Starting Business	Time	Cost (TZS.000)	Level (1-5) ⁴	Comments & Suggestions
Verifying the availability of the proposed company	1 week	50	5	To improve the speeds of their network and responsees.
Apply for company incorporation and obtain the certificate of incorporation	1 week	300	3-5	NIDAs office at Ushirika building reinstates issuing IDs to simplify the registration process.
Clarity of procedures for registering a business.	1 week	300	4	You need five procedures for registering a company in case you do not have national IDs required to have one. That includes filling the form and submitting to the local government, submitting the form to NIDA, opening email address, opening the account to BRELA system (ORS), registration of TIN number
Obtaining a notarized declaration of compliance	5 days	400	3	The formalities usually take time but it's something that can be done in a day
Registering for the workmen's compensation insurance	1 week	varies	2	Even though stakeholders described it fine. The analysis shows that, this process takes more time
Ease of meeting environmental requirements from NEMC	5-7 days	4,500	2-3	There is a need to change their behavior because they act as a police force.
Ease of meeting OSHA safety and health requirements	1 week	1,500	3	Many members do not qualify for OSHA.
Obtaining Social Security registration number	1 week	free	3-4	There is a need to improve the procedures for accessing the NHIF Cards, waiting periods.

The respondents indicated that the process of reinstating the registration of NIDA is reasonably well-developed. And the process is done through an online application system. One will need to have an e-mail address, NIDA IDs, TIN number and an account of ORS. The process of obtaining a Tax Identification Number (TIN) certificate, was reported to take 1week on average, it's normally done free and may take between 4 to 5 weeks. The online registration is regarded to be simple and easy, but it's sometimes affected by the internet network. On the ease of obtaining a VAT certificate, it was reported that the process takes up to 1 week, it's free and was regarded to be very well established, though most Micro and small business are not entitled to VAT registrations.

The respondents were also asked to comment on the “paying taxes before starting a business”, This was ranked in category 3 (Moderately developed), but also the process is uncommon to some businesses. It was revealed that taxes are paid on quarterly basis, therefore three months after starting the business the business is required to pay tax.

On the minimum capital to start a limited liability company for men and women the respondents indicated that it takes 1 week. The process was regarded not relevant and not applicable to the current setting of most businesses. On the business plan requirements, this was established to take up to 1 week, the process is free, and may take about 3 weeks to be accomplished. In order to access bank loans, one has to submit a business plan. The loan officers are a bit reluctant because they already have their soft copy business plan. Regarding on availability of funds needed to start the business, findings revealed that, it take 1 to 2 week to be accomplished, and the process was regarded not well developed (this tends to vary relative with level of business operations), but it was reported that, no start up business can get loans from the financial institutions. On the clarity of procedures for registering a business, it was reported to take 1 week, and may cost up to TZS.300,000/ for a private firm to accomplish this. It was ranked to be reasonably well developed, as depicted on Table 3.4.

3.3.2 Sub-Sector Requirement in the Starting Business

This section has categorized the details requirement for starting a business per sector in Tanzania. The business sub-sectors that were described are:-Energy Industry (Petroleum Shell), Agro-Processors Industry; Pharmacy Industry; Supermarket; Real Estate Industry and mining.

Energy Industry (Petroleum Distribution)

This section has outlined a summary on the procedures, the time and costs estimate for starting and operating a petrol distribution business in Tanzania. The analysis was outlined based on the agency, authority and government departments that are involved in the processes of issuing permits. As elaborated below, the processes may take up to 1 year before can one start operating a fuel distribution business in Tanzania.

- **Contractors Registration Board:** To access building permit, there are initial costs for acquiring this building permit, this costs up to TZS 20 million. There is “no control number for issuing this payment”. The challenge is that the authorizing agencies are not obliged to construction sites.
- **Construction Costs:** There are costs that are associated with building materials, contractors’ fees. The total costs estimate goes up to TZS.200 million (the construction involves concrete, storage tanks etc.), there are for operational permit. For example, obtaining a VAT certificate costs 1-2 million, for every quarter (3months) they pay 8 million, they are using EFD machines.
- **OSHA:** This government agency seems to be expensive, they charge normally per person. For example, 10 people i.e. 5,600,000/10 per year. This was regarded as not well-developed. However, recently OSHA has inspection charges.
- **Fire:** They usually take less than 1 month to issue a permit. It is a one-year permit; they normally give a control number for making payment. This is ranked reasonably well-developed.
- **Weights and Measures:** They normally come to inspect the machine (pump) for accuracy of measures.

- **Local Government Authority:** They charge service levy, which is normally paid quarterly (costs are calculated by an estimate of 0.003). For example, during their initial operation, they were supposed to pay TZS.600,000/, these are levied by the local government. The LGA service levy differs from one another, for example Temeke levy is fixed, and one normally pays TZS. 250,000/, unlike Ilala where calculation is placed at 0.003 times sales turnover. The procedure is regarded as fairly developed.
- **Energy and Water Utilities Regulatory Authority (EURA):** They normally instruct all petrol stations to enter into an agreement (contract) with authorized suppliers, the contracts are not transparent, and are not friendly with business. Regarding the clarity of the procedure for registering a business, it takes 1 month to ensure the costs associated with TZS 1.7 Million, it was ranked moderate.
- **Tanzania Revenue Authority:** The TRA were regarded not fair in their estimation. Before operating, TRA is supposed to make sure the firm (or operator) has TIN which is normally given for free. Regarding tax estimate, it was revealed that assessment of tax to be paid is not transparent and formula used is not clear.

Agro-Processors Industry

This section has outlined a summary on the procedures, the time and costs estimate for starting and operating agriculture processing company in Tanzania. The procedures, time and costs are based on permits that are issued. Regarding business opportunities, they indicate they are getting support from the government, they are normally advised to get registration at SIDO, which basically gives them an opportunity to operate for at least 3 years under a grace period. They tend to incubate them through training on the business operation (machine operation, operation flow and marketing)

- **Construction Costs:** According to the new government circular, they are required to seek building permits. The processes involve filling forms. It takes about 14 days to get the permit, it costs TZS.200,000/ to get the permit.
- **Tax Identification Number (TIN):** This is given for free, and it takes 10 to 14 days for TIN to be issued by TRA officers. One can get this at a nearby TRA operation branch. The taxes are calculated relative to estimated firm sales turnover (profit margin).
- **OSHA:** If a firm starts an Agro-processing factory, it must contact OSHA who makes a visit to the site for the staff's health inspection. This normally takes 3 to 5 days.
- **Fire:** They usually take roughly 14 days to get a fire permit, payment is done fairly through fire control-number.
- **Local Government Authority:** They normally issue service levy (a receipts that permits an enterprise to set up and operate within that given Municipal (District) Authority for a period of one year, costs tend to differ from one Municipal or District to another. In most cases, it is estimated at TZS.100,000 to 200,000/ for agro-Industry, but other Districts have been estimating it relative to sales turnover. The procedure is regarded as fairly developed.
- **Tanzania Revenue Authority:** TRA are not considered fair in their estimation. They tend to issue unfair estimation during assessment. One observation that TRA does not make adequate consultation with business owners (managers).

Pharmacy Industry

- The person seeking to open a pharmacy is required to seek a permit from Zonal (or Regional) Council of Pharmacists. The business is required to pay TZS 100,000/ as pre-inspection fees, a control number is issued to enable embarking on the next stage of preliminary ADDO inspection of the site. The council (committee) will visit the site and issue a permit after inspection. This process takes 2 to 3 weeks, but most businesspeople tend to shorten this through corruption which is often referred to as transport fees for committee members to facilitate inspection without much delay.
- The requirements include having an area of not less than 25sq metres, an Ice and fern machine, premise painted white, a refrigerator, two tables (one for a pharmacist and another for ADDO dispensers, two rooms (one is the store for medical dispensing) and chairs for customers. It takes 2 to 3 months to be issued with a Council of pharmacy permit.
- Before starting operation, the business should have an EFD machine costing about TZS. 600,000. It takes 14 days after making payment to receive an EFD machine.

Supermarket

The following were the outlined procedure for starting and operating a supermarket in Tanzania.

- Government Procedures: These include accessing permit from LGAs (receipt or permit) which costs up to TZS 1 million, paying property taxes (which under this new arrangement the tenant is supposed to pay property tax on behalf of the landlord).
- Other Costs and Procedures: Receiving Tax Identification Number (TIN) from TRA takes an estimate of 4 days from a nearby TRA branch (office).

Real Estate Industry

- The compliance and requirement: Like other businesses, any business entity to operate in Tanzania should be registered under BRELA and insured with an incorporation number and certificate. Recently, the process is online, and it allows an applicant to access it at any time or location.
- Starting a business procedure, evidence from the newly registered firm shows that it took the owner up to seven days where she accessed a certificate for TZS. 512,000/ (the government bills of a company with an initial capital of 100 millions during registration).
- Obtaining the taxpayer identification number (TIN) certificate. This has been reported by respondent that it was free to access the certificate. Recently, any applicant can access a TIN certificate online as long as he/she has a National Identification Number from NIDA.
- Obtaining a VAT certificate. This certificate has been segmented to different qualifications; an entity had to qualify for VAT if and only if has an annual turnover of TZS. 100 million or if is a service provider, but the service given should belong in a regulatory or professional board like CRB, NBAA, etc. The cost of having a TIN certificate is free and it took GNM Tanzania International Limited up to seven days to access it, and it was to be applied for by writing a letter to the Commissioner-General via the regional Office. There is no such delay, but the Government should remove all specifications so that more business owners can access VAT and help the government to collect the Tax

- Paying taxes before starting a business. This has been a different case to consider as an improvement done by the government of Tanzania, in the Real Estate Sector, the respondent had a six months grace period before paying the first installment of corporate tax.
- However, the business paid withholding tax up to 75 USD which was 10% of the rent for premises.
- Paid-in minimum capital to start a limited liability company for men and women. In this case, there were no capital or gender restrictions.
- Availability of funds needed to start the business. In Tanzania, no miracle of startups to be funded or financed, Funding can come from partners, shareholders, relatives or very limited from donors if a certain business is in the line of their interests. Group business such as those funded by LGA budgets.

Gold Processing

- Starting the gold processing business took 3 weeks at the cost of sh. 2 million.
- Obtaining TIN took 1 week at no charge while obtaining VAT certificate took 1 week at no charge. Estimating taxes to be paid quarterly took one day and the tax is to be paid after 3 months.
- Verifying the availability of the proposed company takes 3 weeks at a cost of TZS. 50,000.
- Applying for company incorporation and obtaining the certificate of incorporation takes 3 weeks at the cost of TZS, 300,000.
- Registering for the workmen's compensation insurance takes 1 week.
- Meeting environmental requirements from NEMC takes 3 weeks at the cost of TZS. 4,500,000.
- Obtaining a notarized declaration of compliance takes 3 weeks at TZS. 3,000,000.
- Meeting OSHA requirements (safety and health requirements) takes 2 weeks at the cost of TZS. 1,500,000.
- Obtaining Social Security registration number takes 1 week at no charge.

3.3.3 The Challenges Facing SMEs in Starting Business in Tanzania

This section has outlined a number of challenges the SMEs face in the starting of a business in Tanzania. The constraints were mentioned during interviews with business people.

- High costs associated with certification: After the 3 years TBS grace period, most firms are not able to accommodate costs of inspection at TZS.546,000 Most SMEs tend to run away from TBS, some have been corrupting government regulatory institutions including LGAs.
- Taxes: There are contradictions regarding how much business (SMEs) should pay as taxes, as there is no specific segmentation.
- Financial Institutions: Most banks are not interested in lending to small businesses which are starting. There is no venture capital to assist SMEs to start business

4.0 CONCLUSION AND RECOMMENDATION

4.1 Conclusions

(i) Starting business measures the number of procedures, time, cost and paid-in minimum capital required for small- to medium-sized limited liability company to start up and formally operates in each economy's largest business city. The ranking of economies on the ease of starting a business is determined by sorting their scores for starting a business. These scores are the simple average of the scores for each of the component indicators (procedures, Time, Cost, and Paid-in minimum capital i.e % of income per capita).

- A procedure: Is defined as any interaction of the company founders with external parties such as government agencies, lawyers, auditors or notaries) or spouses (if legally required).
- Time is recorded in calendar days: Measure captures the median duration that incorporation lawyers or notaries indicate is necessary in practice to complete a procedure with minimum follow-up with government agencies and no unofficial payments.
- Cost is recorded as a percentage of the economy's income per capita: It includes all official fees and fees for legal or professional services if such services are required by law or commonly used in practice. Paid-in minimum capital: Reflects the amount that the entrepreneur needs to deposit in a bank or with a third-party (for example, a notary) before registration or up to three months after incorporation and it is recorded as a percentage of the economy's income per capita

(ii) The study findings have established that Tanzania continues to pursue various attempts to improve the business environment e.g. The Blueprint However, the business environment remains challenging.

(iii) A major improvement is that most applications are now done online, It takes about 7 to 14 days (or sooner) after payment has been effected for the certificate of incorporation or compliance to be issued. However, the systems remain rather standalone and not integrated to make sure that they are talking to each other.

(iv) The taxes are paid on a quarterly basis starting from three months after starting the business you're required to pay tax. This is an improvement from the past when taxes had to be paid upfront before starting a business.

(v) Access to startup capital is limited as financial institutions demand three years audited accounts. The challenges associated with the access of credits, especially for new entrants make it absolutely difficult for small businesses to start business .

(vi) Multiplicity of regulatory agencies, accompanied with absence of proper coordination among regulatory agencies in the issuing of business licence. Further, the cost associated with obtaining the licence is high, for example obtaining licence from NEMC (environmental impact assessment i.e EIA) is costly obtaining EIA certificate costs TZS. 5 millions, this together with paying an expert to undertake EIA may cost an average of TZS.1,500,000/

(vii) Most regulators still adopt an enforcement attitude rather than a supportive attitude to assist businesses to meet standards and to comply with regulations. The approach they adopt is more "police-like", capacity building-like to facilitate the enterprise to meet requirements.

(viii) The main concern is that the procedures for starting a business and the improvements that have been made such as processing applications online has not been made widely known and capacity building to ensure fuller utilization of the new systems has fallen behind. The procedures for starting businesses have not been sufficiently transparent.

4.2 POLICY RECOMMENDATIONS

01

Separate revenue motives from the regulatory rationale of regulatory agencies. The main objective of License fees and charges should not be revenue collection. They should instead practice a facilitative approach that will entice businesses to start easily and raise revenue and taxable income at the operational stage. Some Regulatory institutions have started moving in this direction. What is needed is systematic follow up on this trend and facilitate further. Merge

02

Consolidate Similar Regulations and remove overlaps: Related aspects/areas for regulations should be mandated to a single regulatory agency or administered through one-stop service centers in order to enhance coordination and minimize transaction costs/regulatory burden on the part of the private sector.

03

Establish special arrangements for educating businesses the new changes and improvements so they can use them. For instance, TRA officers could educate the clients on tax procedures and processes. For example, on the E-filing system necessary means should be used to channel tax knowledge to taxpayers to reduce communication breakdown i.e., Radio, TV, street theater, booklets for business, popular formats.

04

The 1-2 years exemptions to local starting businesses to motivate more businesses to start. Because some new companies die before starting and others have problems with compliance and management issues. A year's relief can make them better taxpayers in the future. This should also include, exempting closed companies from filing returns.

05

A major improvement is that most applications are now done online. The next stage should be to make systems more integrative and make sure that the systems are talking to each other.

06

Establish a one-stop window for starting a business so everything can be done either under one roof or one website. This will enable time saving and capacity building for businesses in the process of starting a business.

07

As much as possible the procedures, cost and time involved in starting a business should be made very simple, basically providing the authorities with information that a business is starting. Other processes may follow after the business has been registered and is in operation. Starting a business needs to be facilitated so that as soon as possible benefits of operating new businesses can be tapped as early as possible.

ANNEXES

Annex I: Interview Guide

The interviewing guide for collecting data and information on developing a policy paper on the Starting Business in Tanzania. The information and data to be provided is solely for the research purpose and will be treated confidentially

Prescribes Tanzania business regulatory environment affecting domestic firms(Give a reflection on regulation for starting a business, dealing with construction permits, getting electricity, registering property, getting credit, protecting minority investors, paying taxes, trading across borders, enforcing contracts, and resolving insolvency). This stool will assess the policy related issues in the starting business in Tanzania. Please choose from 1-5 to indicate the ranking on the starting business in Tanzania. Legend:5-Levels, where:1 = Not relevant, 2=fairly developed, 3=Moderately developed, 4= Reasonably Well developed, and 5= Very well developed.

Starting Business in Tanzania

	Description of the process of Starting Business	Time	Cost (TZS.000)	Level (1-5)4	Comments & Suggestions
1	Starting a business: Procedures				
2	Time and cost of starting a business.				
3	Obtaining the taxpayer identification number (TIN) certificate				
4	Obtaininga VAT certificate				
5	Paying taxes before starting a business:				
6	paid-in minimum capital to start a limited liability company for men and women				
7	Business plan requirements				
8	.Availability of funds needed to start the business				
9	Employing workers: Flexibility in employment regulation before starting a business.				
10	Verifying the availability of the proposed company				
11	Apply for company incorporation and obtain the certificate of incorporation				
12	Clarity of procedures for registering a business				
13	Obtaining a notarized declaration of compliance				
14	Registering for the workmen's compensation insurance				
15	Ease of meeting environmental requirements from NEMC				
16	Ease of meeting OSHA requirements (safety and health requirements)				
17	Obtaining Social Security registration number				

Starting business in Tanzania

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**We thank Atlas Network for their continued
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friendly business environment in Tanzania.**

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