

GOVERNMENT NOTICE No. 347 published on 26/4/2019

THE LAND ACT
(CAP.113)

REGULATIONS

(Made under sections 33A(2) and 179)

THE LAND (EXEMPTION OF RENT) REGULATIONS, 2019

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SCHEDULES

THE LAND ACT
(CAP.113)

REGULATIONS

(Made under sections 33A (2) and 179)

THE LAND (EXEMPTION OF RENT) REGULATIONS, 2019

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| Citation | 1. These regulations may be cited as the Land (Exemption of Rent) Regulations, 2019. |
| Interpretation | 2. In these Regulations, unless the context otherwise requires- |
| Cap. 113 | “Act” means the Land Act;
“applicant” means central or local government, government institution or organization or non-profit organization claiming exemption for payment of rent;
“Commissioner” means the Commissioner for Lands;
“Minister” means the Minister responsible for lands; and
“rent” means the land rent charged under section 33 of the Act. |
| Duty to apply for exemption | 3. The central or local government, government institution or organization, or non-profit organization shall not be entitled to exemption from payment of rent unless such exemption is granted by the Commissioner upon application pursuant to the provisions of these Regulations. |
| Procedure for application of exemption of rent | 4.-(1) The application for exemption of rent under these Regulations shall be submitted to the Commissioner.
(2) The application referred to under sub-regulation |

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(1) shall be in the Form No.73 prescribed in the Second Schedule to these Regulations and shall be and accompanied with the following information-

- (i) a copy of Certificate of Occupancy or Letter of Offer; and
- (ii) Certificate of Registration of the organization.

(3) Where an application is made by central or local government, government institution or organization, such application shall not be required to be accompanied by the requirement under item (ii) of sub-regulation (2).

Additional information

5.-(1) The Commissioner may, in the course of determining application, require the applicant to submit information relevant to the application, in addition to that already submitted with the application.

(2) Where additional information is required under sub-regulation (1), the Commissioner shall not determine the application until such additional information has been submitted.

Criteria for exemption

6.-(1) In determining whether to grant or reject application made under regulation 4, the Commissioner shall have regard to-

- (a) the use of the land subject to the application as prescribed in the First Schedule of these Regulations;
- (b) the applicant is an organization registered under the laws of Tanzania for provision of non-profit health, education or other related social services; and
- (c) the applicant is an organization providing non-profit health, education or other related social services approved under the relevant law.

(2) Where application is made by central or local government, government institution or organization the Commissioner shall not consider the factors referred to under paragraphs (b), (c) and (d) of sub-regulation (1).

Decision of Commissioner

7.-(1) The Commissioner shall have exclusive right to

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to be final determine the application for exemption of rent under these Regulations and the decision of the Commissioner shall be final.

(2) The Commissioner may, where he considers necessary to the circumstances, conduct inspection to the land subject to exemption to ensure compliance to the conditions leading to exemption.

(3) Where application for exemption is granted, the applicant shall be required to submit report annually to the Commissioner regarding that land subject to exemption continues to be used for the purposes for which the exemption was granted.

(4) Where the applicant whom the exemption is granted under these Regulations fails to submit a report as required under sub-regulation (3) or where there is a violation of condition leading to exemption, the exemption granted shall be terminated forthwith and the applicant shall be required to pay rent.

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FIRST SCHEDULE

LAND USES

(Made under regulation 6(1)(a))

All land uses are in accordance with the the Urban Planning (Use Groups and Use Classes) Regulation, 2018 – Government Notice No. 91 published on 09 March, 2018

S/No	USE	USE GROUP	USE CLASS
1.	<i>Hospitals and sanatoria</i>	<i>'C'</i>	<i>(b)</i>
2.	<i>Barracks for armed forces or police</i>	<i>'C'</i>	<i>(d)</i>
3.	<i>Central or local government offices</i>	<i>'G'</i>	<i>(a)</i>
4.	<i>Clinics, health centers, dispensaries, clinic logy lab centre not including animal clinics or dispensaries, and excluding retails pharmacy shops</i>	<i>'H'</i>	<i>(b)</i>
5.	<i>Courts of law</i>	<i>'H'</i>	<i>(e)</i>

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6.	<i>Building for social services, voluntary or charitable associations</i>	<i>'H'</i>	<i>(f)</i>
7.	<i>Public libraries</i>	<i>'H'</i>	<i>(g)</i>
8.	<i>Post offices, police posts and police stations</i>	<i>'H'</i>	<i>(h)</i>
9.	<i>Nursery, Day Care and Kindergarten</i>	<i>'K'</i>	<i>(a)</i>
10.	<i>Primary schools</i>	<i>'K'</i>	<i>(b)</i>
11.	<i>Secondary Schools</i>	<i>'K'</i>	<i>(c)</i>
12.	<i>Schools/Faculties, institutes, colleges, university colleges and universities</i>	<i>'K'</i>	<i>(d)</i>
13.	<i>Vocational training</i>	<i>'K'</i>	<i>(e)</i>
14.	<i>Education Centers</i>	<i>'K'</i>	<i>(f)</i>

SECOND SCHEDULE

Land Form No. 73

THE UNITED REPUBLIC OF TANZANIA
THE LAND ACT
(CAP. 113)

APPLICATION FOR EXEMPTION OF RENT

[Under regulation 4(2)]

Letter of Offer/C. T. No.....
L. O. No.....

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Plot No.....Block.....

Location.....

To: COMMISSIONER FOR LANDS of P. O Box

I/ We

of

HEREBY APPLY for the exemption of rent and STATES THAT:-

1. Land is used exclusively forSize of Land.....
2. Institution/Organization is registered as.....
3. Registration number of Institution/Organization
4. Exemption for financial year
5. Amount of rent owed
6. Arrears of rent owed.....

Declaration: Information contained in this form is true to the best of my knowledge.

Dated at this day of 20.....

.....
Name and signature of the Applicant/Attestation of Institution or Organization

Dodoma,
25th March, 2019

WILLIAM V. LUKUVI,
*Minister for Lands, Housing and Human
Settlements Development*