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Introduction

Each year, the Finance Act is among the most consequential pieces of legislation passed by Parliament. It sets out the legal framework through which all fiscal and tax measures are implemented, affecting not only government revenue but also the wider business environment, investment climate, and the everyday lives of Tanzanians. In principle and in practice, no new tax can be introduced, amended, or repealed unless it is contained in the Finance Act, hence the imperative role of the Finance Bill, which precedes it.

The financial year in Tanzania begins on July 1st. It is, therefore, not merely procedural but fundamental that the Finance Bill is made available to the public and debated extensively before that date. Unfortunately, the Tanzanian experience falls short of this expectation. Unlike countries such as Kenya where public engagement, parliamentary scrutiny, and even street-level activism have played major roles in shaping, revising, or even withdrawing Finance Bills Tanzania often relegates this crucial document to the shadows of late parliamentary sessions.

Lack of Transparency and Public Participation

Historically, the Finance Bill in Tanzania is tabled at dead hours, typically after the Minister for Finance has delivered the annual budget speech. However, rather than allowing sufficient time for reflection and scrutiny, the Bill is often discussed briefly, sometimes in a single day, leaving little room for meaningful parliamentary debate or public engagement. Parliamentary attendance during these final sessions is often low, and one questions whether MPs are supported by adequately equipped technical teams to guide them on complex tax and economic issues. The nature and quality of contributions in these debates often reflect this deficiency.

Moreover, any stakeholder consultations that occur during the preparation of the Bill tend to be limited and conducted behind closed doors. This is a missed opportunity to foster transparency, inclusiveness, and the kind of robust dialogue necessary for sound tax reform. Media outlets, be it print, radio, or television, rarely organise meaningful forums to break down the proposals for the general public or host experts to offer critical analysis. This silence from the fourth estate is both alarming and needs to be rectified.

A Call for Structural Reform

Ideally, the Finance Bill should be published immediately following the budget speech, allowing a window for broad-based consultation. The public, professionals, academics, and civil society must all have the opportunity to provide feedback. The Ministry of Finance must adopt a participatory approach that gives due consideration to contributions from tax professionals, whose expertise is vital in aligning our tax framework with both domestic needs and international best practices.

While the Tanzania Revenue Authority (TRA) plays a vital role in preparing the Finance Bill, there have been instances where its proposals raise serious concerns. For example, *Sections 52(10) and 52(11) of the Tax Administration Act* are inherently contradictory. Section 52(10) places a legal duty on the Commissioner General to determine tax objections within six months. Yet Section 52(11) automatically confirms the disputed assessment if no decision is rendered within that period. This not only undermines the taxpayer's right to fair administrative review but effectively transforms the Commissioner General into a judge in their own cause. The Finance Bill should be used as an avenue to correct this anomaly and reinforce the institutional authority of appellate bodies like the Tax Revenue Appeals Board (TRAB).

A Judicial Conundrum Unresolved

There is also a pressing need to resolve the legal uncertainty created by conflicting interpretations of *Section 53(1) of the Tax Administration Act, Cap 438* and *Sections 7 and 16(1) of the Tax Revenue Appeals Act, Cap 408*. A decision by the Court of Appeal has left taxpayers and practitioners in doubt about the correct appellate procedures for tax disputes. This confusion has the potential to derail formal avenues for resolving

disputes and, worse still, open the door for informal and opaque settlements, as illustrated by the controversial aftermath of the *Pan African Energy case*. Such ambiguity not only weakens the integrity of tax administration but erodes public confidence in the fairness of the system. It is incumbent upon the Minister of Finance, the Commissioner General, and other stakeholders to prioritise legal reform through this year's Finance Bill.

Fiscal Discipline and Public Accountability

Despite the numerous tax measures often outlined in budget speeches, one recurring concern remains unresolved controlling public expenditure. Citizens continue to voice frustration over the absence of bold proposals to reduce wasteful government spending and curb mismanagement of public funds, which are routinely flagged by the Controller and Auditor General (CAG). The Finance Bill, as a tool of fiscal governance, should embody not only revenue-raising measures but also accountability mechanisms to restore trust in public finance.

Strengthening the Office of the Tax Ombudsman

The establishment of the Tax Ombudsman Services through Sections 28A to 28G of the Tax Administration Act, Cap 438, once gave taxpayers hope for greater administrative justice. However, subsequent amendments introduced through the Finance Act No. 3 of 2021 have watered down its mandate. As it stands, the office appears more ceremonial than functional stripped of the autonomy and powers essential to operate effectively under international best practices. This is a crucial moment to revisit and reform these provisions to ensure the Tax Ombudsman Service becomes a credible and independent institution, capable of promoting taxpayer rights and resolving administrative injustices.

Conclusion

The Finance Bill is not a mere formality it is a national economic compass. Each year, it defines the direction of tax policy, determines the cost of doing business, influences investor confidence, and affects every Tanzanian household. It deserves the attention, debate, and participation it currently lacks.

Tanzania must move toward a model that respects transparency, public engagement, and the rule of law in fiscal governance. Parliamentarians must be adequately supported to scrutinise the Bill. The Ministry of Finance must open the process to real stakeholder participation. The media must awaken to its responsibility to inform and facilitate discourse. And the public must demand their right to be heard.

Let us not ask again, "Where is the Finance Bill?" Instead, let us build a culture where the Finance Bill is seen, studied, discussed, improved and ultimately, owned by the people.

"Together we build our Nation."

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