



THE UNITED REPUBLIC OF TANZANIA  
**MINISTRY OF FINANCE AND PLANNING**

# **COMPENSATION CLAIMS SETTLEMENT GUIDELINES**

First Edition, 2023



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## PREFACE

The Ministry of Finance and Planning has been allocating resources to cater for claims emanating from accidents and losses involving public assets and other government or court decisions. On the other hand, the Government has also been receiving compensations through recoveries paid after suffering losses of assets or damages to government properties.

However, the Ministry has been conducting the above functions without having formal guidelines for handling compensations claims which eventually stemmed into unnecessary delays, fraud occurrences and double payment. Hence, the Ministry has developed these guidelines to address the same, and ensure consistency in handling such claims, reducing costs and time as well as improving trust and confidentiality, throughout the process.

Therefore, the Ministry expects that involved stakeholders and actors will continue to cooperate, work and subsequently contribute to successful implementation of these guidelines. Meanwhile, the Ministry stays committed to better resource use for supporting economic growth and well-being of the people.



Dr. Natu E. Mwamba,  
Permanent Secretary Treasury  
And Paymaster General,  
**31<sup>st</sup> March, 2023,**  
Dodoma, Tanzania.



# COMPENSATION CLAIMS SETTLEMENT GUIDELINES

*(Made under section 6 of the Public Finance Act, CAP 348)*

PART I: PRELIMINARY PROVISIONS		
Citation	1.	These guidelines shall be cited as the "Compensation Claims Settlement Guidelines, 2023".
Commence- ment Date	2.	These guidelines shall come into effect from the date signed by the Paymaster General.
Scope and Application	3.	These guidelines are intended for use by Public Sector Entities (PSEs) of the Government of United Republic of Tanzania involved in handling claims not covered by any other Scheme.
Nature of Claims	4.	<ul style="list-style-type: none"><li>i All accidents involving government assets not covered by any other Scheme;</li><li>ii Court Orders;</li><li>iii Out-of-Court Settlements; and</li><li>iv Any other claims payable by Accounting Officers or Permanent Secretary - Treasury.</li></ul>
Definitions	5.	For the purpose of these guidelines, unless the context otherwise requires: -

**PART I:  
PRELIMINARY PROVISIONS**

**Accident** means an unfortunate incident that happens unexpectedly and unintentionally, resulting in damage or injury involving government assets;

**Accounting Officer** means any Officer who is charged with the duty of accounting public moneys in respect of Public Sector Entity where the claim originates;

**Asset** refers to an item, thing that has potential or actual value. It is a resource with monetary value that an individual, corporation or country owns or controls which provide immediate economic benefit and/or service potential;

**Certificate of Payment** means a written certificate issued by the Court to the claimant and directed to the Accounting Officer (AO) or Permanent Secretary – Treasury (PST) indicating the amount that the Claimant is entitled to be paid;

**Claim** means a formal request for compensation;

**Claimant** means a person or organisation claiming for compensation including the victim, representative or advocate, an administrator/administratrix of the estates;

**PART I:  
PRELIMINARY PROVISIONS**

		<p><b>Compensation</b> means the amount of money payable to the individual or organisation in recognition of loss, suffering or injury;</p> <p><b>Compensator</b> means a Public Sector Entity where claim originated or responsible for paying the claim;</p> <p><b>Deed of Settlement</b> means an agreement between parties involved in claims in respect of the amount due for payment;</p> <p><b>Public Sector Entity</b> means any organisation established within the public service that exercises a public function;</p> <p><b>Recovery</b> means the amount that the Government intend to collect from individuals or organisations that made partial repayments or zero repayment after causing damage or loss to the Government; and</p> <p><b>Salvage</b> means the remaining physical property or material suffered from loss or destruction, taken or handed over after completion of compensation payment.</p>
<b>Objective</b>	6.	The objective of these guidelines is to provide PSEs and Claimants with procedures for proper handling of compensation claims.

**PART II:  
PRINCIPLES AND PROCEDURES**

<b>Principles for claims handling</b>	7.	<p>7.1 PSEs shall act at all time in accordance with the following principles: -</p> <ul style="list-style-type: none"> <li>a) Honesty;</li> <li>b) Transparency;</li> <li>c) Integrity;</li> <li>d) Respect;</li> <li>e) Professionalism;</li> <li>f) Loss minimization; and</li> <li>g) Expeditious.</li> </ul> <p>7.2 The claimant shall at all times act with utmost good faith and cooperation.</p>
<b>Submission of claim(s)</b>	8.	<p>8.1 A Claimant shall submit the claim to AO in Standard Form number CF1, together with all relevant supporting documents as indicated in appendices.</p> <p>8.2 If the claim resulted from the Court order, Claimant shall submit the Certificate of Payment with supporting documents to the relevant Authority so ordered.</p> <p>8.3 If the AO fails to honor the submitted claim, the same shall state the reasons and request PST to make payment together with all relevant supporting documents and Standard form as per 8.1.</p>

**PART II:  
PRINCIPLES AND PROCEDURES**

		<p>8.4 All claims shall be submitted in Swahili or English language. Where any supporting document is in any language other than Swahili or English; the claimant shall submit a translation thereof.</p> <p>8.5 All claims shall be submitted pursuant to the Law of Limitation Act, CAP 89 or any other law where the Law of Limitation Act is silent.</p> <p>8.6 A claimant shall submit only claim(s) that have not been paid.</p> <p>8.7 Where claims have not been paid, and submitted to other Institution for payment, the claimant shall state the Institution and status.</p>
<b>Acknowledgement of the claim(s)</b>	9.	<p>9.1 The AO shall acknowledge in writing receipt of the claim.</p> <p>9.2 For claims submitted to PST, the same shall acknowledge receipt of the claim in writing.</p> <p>9.3 All acknowledgments shall be communicated within seven (7) days from the date of receipt of claim(s).</p>

**PART II:  
PRINCIPLES AND PROCEDURES**

<b>Assessment and Verification of the claim(s)</b>	10.	<p>10.1 Upon receipt of claim, the AO and PST shall verify completeness of documents submitted and either admit or communicate with the claimant for submission of further information within 14 working days.</p> <p>10.2 The AO and PST shall abide with fraud detection procedures while handling claims</p> <p>10.3 The AO and PST shall verify the claims and consult with the Attorney General or the Solicitor General before making payment within 14 working days.</p>
<b>Notification to Claimant</b>	11.	<p>Upon assessment and verification of claim, the AO or PST shall notify the claimant on the decision made over the claim and reasons thereof within fourteen working days from date of the decision.</p>
<b>Negotiation of the claim</b>	12.	<p>12.1 The AO or PST may call for negotiation with the claimant after assessment and verification of the claim.</p> <p>12.2 The AO or PST as the case may be, shall nominate a negotiation team comprising of Senior Officers of the compensator where the</p>

**PART II:  
PRINCIPLES AND PROCEDURES**

		<p>claim originated, Office of the Attorney General, Office of the Solicitor General and any other Officer(s) who may be deemed necessary.</p> <p>12.3 Where settlement is reached, a Deed of Settlement shall be drawn stating the terms agreed and shall subsequently be signed by the parties.</p> <p>12.4 A Deed of Settlement shall be filed in court for registration, in case of out-of-court settlements.</p> <p>12.5 In case of claim originating from court order or decree, the Government and Claimant may choose to negotiate and eventually the Deed of Settlement shall be registered in court.</p>
<b>Payment of the claim</b>	13.	<p>13.1 The claimant shall fill and submit all relevant documents for payment.</p> <p>13.2 The AO or PST shall ensure that a claim is finalised and paid.</p>

**PART III:  
GENERAL PROVISIONS**

<b>Claims information manage- ment</b>	<b>14.</b>	<p>14.1 The AO and PST shall maintain separate registers of all claims. The registers shall be electronically centralised, for analysis and decision making.</p> <p>14.2 The claim register shall contain the following: -</p> <ul style="list-style-type: none"> <li>a) Claim file number;</li> <li>b) Personal particulars of the Claimant;</li> <li>c) Particulars of the PSE where the claim originated;</li> <li>d) Nature/description of the claim;</li> <li>e) Amount claimed;</li> <li>f) Date of receipt of claim;</li> <li>g) Date of communication of the decision;</li> <li>h) Amount agreed and paid;</li> <li>i) Date of payment; and</li> <li>j) Date of closure of the claim file.</li> </ul> <p>14.3 All the claims shall be reported quarterly to the PSE's Management.</p> <p>14.4 All approved claims by the AO that have not been paid at the end of the financial year, shall be treated as payables in the financial statement.</p>
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**PART III:  
GENERAL PROVISIONS**

<b>Recoveries</b>	15.	<p>15.1 The AO shall ensure all recoveries are collected and submitted to the Consolidated Fund.</p> <p>15.2 The AO shall retain the recoveries upon written approval from the PST.</p> <p>15.3 All recoveries received from individuals and organisations owed to the Government, shall be treated as non-tax revenue in the financial statement.</p> <p>15.4 All accrued recoveries shall be treated as receivable in the financial statement.</p>
<b>Salvage</b>	16.	<p>16.1 Upon payment of full compensation, the claimant shall surrender the salvage if any, to the respective AO or PST.</p> <p>16.2 Salvage so surrendered shall be treated as unserviceable asset and shall be disposed in accordance with Public Finance Laws and Regulations.</p>

PART IV: MISCELLANEOUS PROVISIONS		
<b>Legal enforcement</b>	17.	Any public servant who by negligent or intentional conduct, causes the Government to pay any claim or compensation under these guidelines shall be sanctioned in accordance with Regulation 53 of Public Service Regulations, GN No.444 of 2022 or any other relevant law in force.
<b>Review</b>	18.	These guidelines may be reviewed after every three years or as and when required.
<b>Appendices</b>	19.	These guidelines shall be read together with the Appendices.

## APPENDICES

1. Where the claims originated from accidents involving government-motorized-assets, the claimant shall submit the following documents: -

### 1.1 Basic documents

- i Covering letter;
- ii Accidents report form (TFN 80);
- iii Sketch map of the accident;
- iv Police report (including Police Form i.e., PF 90,93 and 115);
- v Statement of Driver and Witness;
- vi Copy of Driving license;
- vii Copy of National identification card;
- viii Copy of Employer's identification card;
- ix Copy of Traffic case judgement;
- x Copy of Registration card of the motorized asset; and
- xi Power of attorney in case of claim by a representative.

### 1.2 Additional document for: -

#### 1.2.1 Damage of property

- i Insurance policy/cover note of the claimant;
- ii Insurance policy/cover note of the compensator;
- iii Proof of Ownership (i.e., Motor vehicle registration card, Title deed, Contract etc.);
- iv Estimated Value of the property before the incident/accident; and
- v Estimated Value of the property after the incident/accident.

### **1.2.2 Loss of Income**

- i Business license;
- ii Taxpayer Identification Number (TIN) certificate;
- iii Value Added Tax Registration Certificate (where applicable);
- iv Tax clearance certificate;
- v Bank statement for formal business where applicable; and
- vi Financial Audit report where applicable.

### **1.2.3 Death**

- i Letters of Administration of estate(s) or Letters of Probate;
- ii Minutes of family meeting (if available);
- iii Death certificate;
- iv Burial permit;
- v Medical and/or postmortem report; and
- vi Proof of medical and/or burial expenses.

### **1.2.4 Injury**

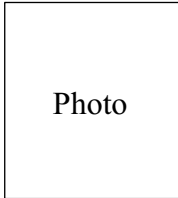
- i Police Form No. 3;
- ii Medical report; and
- iii Proof of medical expenses.

2. Where the claim originated from Court Order, the claimant shall submit the following documents: -
  - i Court Ruling, Court Judgement as well as Court Decree; and
  - ii Certificate of Payment.
3. Where the claim originated from Out-of-Court Settlement, the claimant shall submit the Deed of settlement.

4. Where the Claim originated from any other claim payable by AO or PST, the claimant shall submit all relevant documents in support of the same.

## STANDARD FORMS

### 1. Claim Form



THE UNITED REPUBLIC OF TANZANIA  
MINISTRY OF FINANCE AND PLANNING  
COMPENSATION CLAIM FORM

(To be completed by a Claimant or Representative)

#### A. NATURE OF CLAIM (mark (✓) appropriately)

Court Order	Accident	Out-of-Court Settlement,	Others
----------------	----------	-----------------------------	--------

If others please  
specify.....

#### B. PERSONAL PARTICULARS OF CLAIMANT

Name of Claimant.....

Other previous Name / Nick Name.....

Gender..... Place of Birth..... Date of  
Birth..... Occupation.....

ID No..... (NIDA, Driving License, Passport,  
Residence Permit, Work Permit or Voter's Registration Card)

Nationality..... Physical Address.....

Street/Village..... House No.....

District..... Region..... Country.....

Tel ..... Cell phone..... Email.....

Representative (If any) Name.....

Address.....

Occupation.....  
Cell Phone.....  
Relationship with Claimant.....

**C. PARTICULARS OF CLAIM:**

Description of the claims.....

Amount claimed .....

Beneficiaries of the  
claimant.....

State whether the claimant has received any compensation in  
relation to the claim, from another government institution  
.....

If yes, state the amount.....

State as to whether there is any pending case in Court, Tribunal,  
Commission with respect to the claim .....

**D. COMPENSATOR'S PARTICULARS**

Name of Institution.....

Address.....

**E. CLAIMANT'S OR REPRESENTATIVE'S DECLARATION**

I, ....., being the Claimant/  
representative hereby declare that what I have stated herein  
above is true to the best of my knowledge and if it is proved that  
there is forgery or fraud in relation to the information provided,  
legal action should be taken against me.

Signature..... Date.....

**F. FOR OFFICIAL USE:**

Compensator's acknowledgement of receipt of claim

Date of receipt of claim by Compensator	Received by(Name, designation, signature and official stamp)



## **2. Accident Report Form (TFN 80)**

### **THE UNITED REPUBLIC OF TANZANIA**

#### **ACCIDENT REPORT – G.T. VEHICLES AND PLANT**

To be rendered in triplicate in accordance with Public Assets Management Guideline, 2019 (1<sup>st</sup> Edition) para. 25, for all vehicle or items of plant involved in an accident where: -

- a) Private vehicles, plant or property are involved, IRRESPECTIVE of the extent of damage;
- b) Injury to any person occurs; and
- c) The value of the damage to the government vehicle or item of plant exceeds Shs. 100/=.

This form, suitably amended where necessary, should also be filled with attachments, in cases where an officer is involved in a traffic accident whilst travelling on duty, or to duty, even though s/he is using a private vehicle, if having regard to the circumstances set out in (a) and (b) above, as follows:-

#### **i. DETAILS OF GOVERNMENT VEHICLE OR ITEM OF PLANT INVOLVED**

- (a) Ministry/Division.....
- (b) Region.....
- (c) Station.....
- (d) Vehicle No. ....
- (e) Type.....
- (f) Driver's name.....
- (g) Is driver daily paid or on permanent terms.....
- (h) Daily/Monthly wages Shs.....

**ii. DETAILS OF ACCIDENT**

- (a) Date.....
- (b) Time.....
- (c) Road on which accident occurred.....
- (d) District.....
- (e) Brief description of accident.....
- (f) Details of damage to government property.....
- (g) Estimated value of the damage at (f) above Shs.....

**iii. DETAILS OF ANY OTHER VEHICLES INVOLVED IN ACCIDENT**

- (a) Vehicle No.....
- (b) Make.....
- (c) Type.....
- (d) Name of driver.....
- (e) Name and address of the owner.....
- (f) Name and address of local office of company with whom the vehicle is insured.....
- (g) Details of damage of private vehicle .....
- (h) Estimated value of damage at Shs.....

**iv. PARTICULARS OF ANY PERSON INJURED IN ACCIDENT**

- (a) Name.....
- (b) Address.....
- (c) By whom employed.....
- (d) Nature of injury sustained.....

**v. DETAILS OF ANY OTHER PROPERTY DAMAGED IN ACCIDENT**

- (a) Property involved.....
- (b) Name and address of owner of the property .....
- (c) Brief description of damage sustained.....
- (d) Estimated value of damage at Shs.....

**vi. QUESTIONNAIRE**

- (a) Was the government vehicle on an authorised journey?  
(YES/NO)
- (b) Was the driver authorised to drive? (YES/NO)
- (c) What was the nature of the journey?.....
- (d) Has any claim for compensation been made against the Government? (YES/NO)
- (e) If the answer to (d) is NO, is a claim likely? (YES/NO)
- (f) Is anyone to be, or has anyone been, prosecuted in connection with this accident? If so, who? .....
- (g) What was the result of the prosecution?.....
- (h) What disciplinary action is proposed or has been taken against the driver of the government vehicle?.....
- (i) Who is regarded as responsible for the accident?.....

**vii. STATEMENTS TO BE ATTACHED**

- (a) Statement of driver;
- (b) Statement of witness;
- (c) Sketch of the scene of the accident with measurements;
- (d) Police reports (PF 90,93 & 115);
- (e) Copy of the finding of the Coroner's inquest (only in fatal cases); and
- (f) Copy of the Magistrate's judgment (required when prosecution took place).

**viii. FORWARDING COMMENTS BY OFFICER TO WHOM VEHICLE IS ON CHARGE**

Signed.....

Designation.....

Date..... 20.....

Copy to:        1. Permanent Secretary Treasury.  
                     2. Permanent Secretary  
                         Ministry of Works and Transport.

### 3. Compensation Approval Certificate

No. CL20220023

#### THE UNITED REPUBLIC OF TANZANIA



#### COMPENSATION APPROVAL CERTIFICATE

##### A. CLAIM DETAILS

RECEIVED DATE: ..... AGREED AMOUNT: .....  
CLAIM TYPE: ..... PREVIOUS PAYMENT: .....  
FILE NUMBER: ..... THIS PAYMENT: .....  
AMOUNT CLAIMED: ..... OUTSTANDING: .....  
SOURCE ENTITY: .....

DESCRIPTION:

.....  
.....

##### B. PROCEEDINGS.....

.....  
.....

##### C. CLAIMANT DETAILS

NO.	NAME	ID NUMBER	AGREED AMT.	PREV. PAYMENT	REQUEST. AMT.	OUTSTAN. AMT.
1.	XXXXXX	XXX0000000	TZS 1XXXXXXX	TZS X0000000	TZS X000000	TZS X000000

NAME:	DESIGNATION:	SIGN:	DATE:
.....	.....	.....	.....

**D. RECOMMENDATIONS**

.....

.....

NAME:	DESIGNATION:	SIGN:	DATE:
.....	.....	.....	.....

**E. APPROVAL**

.....

.....

NAME:	DESIGNATION:	SIGN:	DATE:
.....	.....	.....	.....

#### 4. Payment Agreement Form

##### CLAIM FOR GENERAL/SPECIAL DAMAGES

I/We.....of.....agree to accept the sum of  
Shs.....

(in words) .....

in full satisfaction, liquidation and discharges of all claims in  
respect of any loss, injury and/or damage, sustained by me/us  
whether now or hereafter to become manifest, arising directly  
from the accident or incidence which occurred  
on.....involving..... as a result of which  
I/We suffered.....

I/We further agree that upon payment of the agreed sum I/We  
shall waive all claims arising from the accident or incidence  
herein mentioned whether now or in future.

Claimant

Witness:

Name.....

Name.....

Address.....

Address.....

Occupation.....

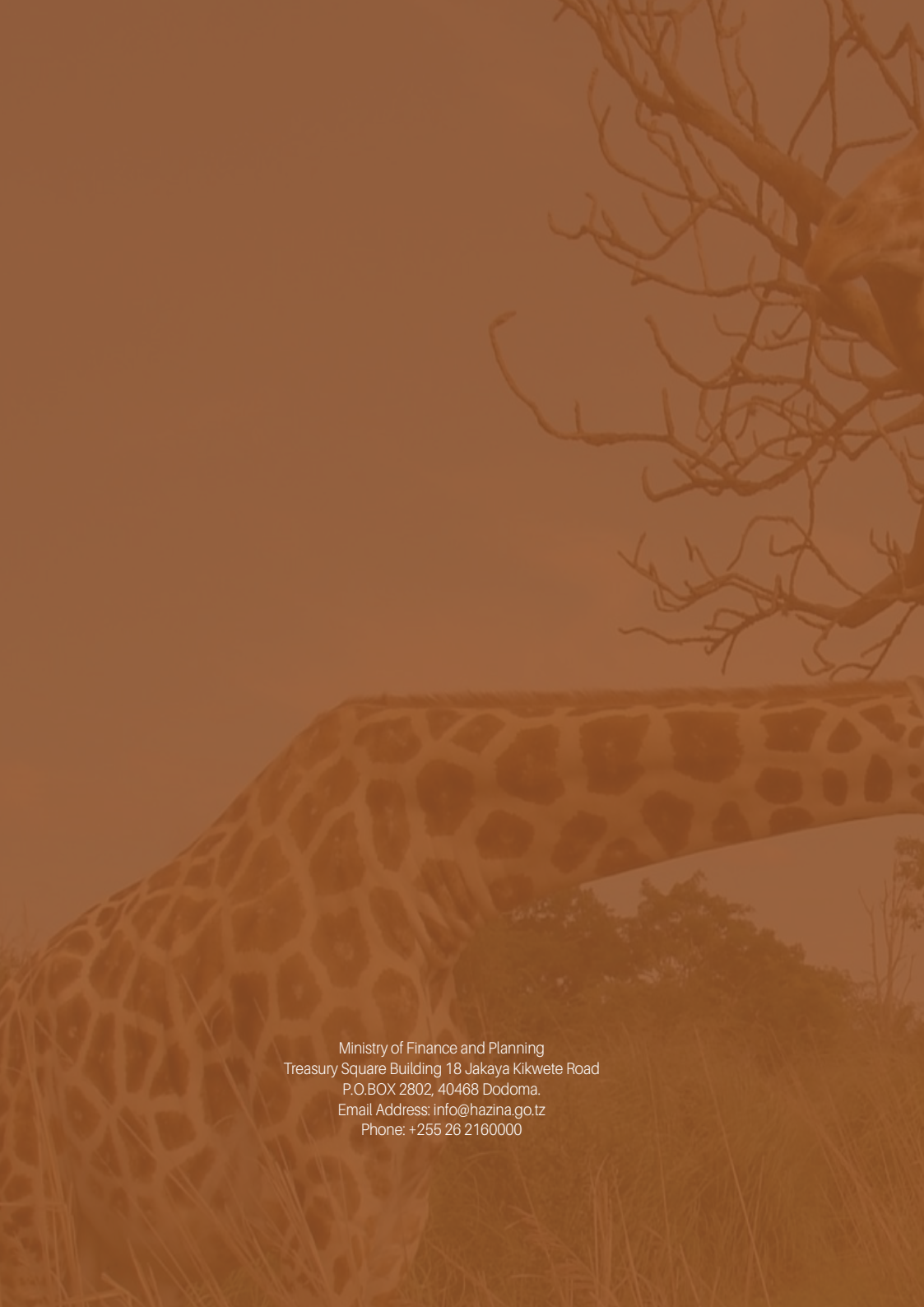
Occupation.....

Signature: .....

Signature.....

Date.....

Date.....



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