

THE UNITED REPUBLIC OF TANZANIA

The postal address of the Tribunal is as follows:

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Fair Competition Tribunal,
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**FAIR COMPETITION TRIBUNAL OF TANZANIA -FCT
(BARAZA LA USHINDANI)**

The physical address of the Tribunal's offices is
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**CLIENT
SERVICE CHARTER**

MAY 1, 2021

HOW TO CONTACT US

The postal address of the Tribunal is as follows:

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THE UNITED REPUBLIC OF TANZANIA



FAIR COMPETITION TRIBUNAL OF TANZANIA -FCT (BARAZA LA USHINDANI)

CLIENT SERVICE CHARTER

JUNE 1, 2020

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10.0 REPORTING PERFORMANCE AGAINST STANDARDS

The FCT shall continue to make itself accountable for its performances and operations.

It will compile the results of the evaluation of its performance against these service standards. The results of the evaluation will be available to clients and stakeholders on request. It will also regularly monitor the level of its clients' awareness of the Charter.

We also expect our clients to acknowledge the good services they get from the FCT. All complaints shall be received by the Registrar for appropriate action

8.1 Feedback Mechanisms

The FCT welcomes feedback in a form of oral reports and comments, written correspondences (letters, faxes, email), or telephone. All correspondence should be addressed to the Registrar at the address given in this Charter.

8.2 Record of Compliments and Complaints

The FCT will maintain a record of all compliments, suggestions and complaints received. The information will be used for the purpose of improving services to the clients and when reviewing this Charter and the Strategic Plan.

The results of feedback from clients and stakeholders will constitute part of the FCT's public information service and will be available on request.

9.0 MAINTAINING AND REVIEWING THE CHARTER

This Charter is a living document that has an on-going relevance to clients. To this end, the Charter will be reviewed after every two years.

The review will take into consideration the following:

- i** changes in the structure of the FCT;
- ii** changes in the Vision of the FCT;
- iii** changes in the FCT service delivery mechanisms, principles and core values;
- iv** consultations with and feedback from clients and stakeholders;
- v** results of performance monitoring and evaluation against set standards;
- vi** changes in the Government policies; and
- vii** change in technology.

PREFECE

Client Service Charter has been massively issued all over the world as an effort of ensuring the government Institutions discharge their responsibility as it is expected. The Tribunal being among the public institution is taking the step to develop the charter that will highlight type of Client and Service Standards, complaint handling mechanism and rights and responsibility of institution and clients. As the Tribunal is committed to play its role diligently as to provide effective appeal mechanism in the competition regulatory framework, the Charter will help our client to understand our commitment toward timely delivery of services at highest level of excellence for client satisfaction.

The objective of reviewing the Charter is to acknowledge technology changes taking place all over the world in service delivery and set appropriate standard of service delivery. Also, the Tribunal is committed to ensure its Internal rules and regulations are current and up todate.

I believe that availability of information in timely manner will eliminate bottleneck that are likely to cause client's complaints this charter has been developed through consultative process tht involved receiving comments through various means of communication such as letters, emails, phones and meetings at various levels. The Tribunal will continue to review the charter as to include changes in Laws and operating conditions needs, and overall political, economic technological and social changes is arises.

Registrar

Fair Competition Tribunal

1.0 PURPOSE

The purpose of this Client Service Charter is to inform our Clients and Stakeholders in particular and the public in general, about the services offered by the FCT, the standards of services and the manner used in providing such services.

Also, the Charter explains the rights and obligations of clients in line with the FCT's Vision, Mission and Core Values. The Charter further explains the avenues of communication with the FCT, and mechanisms for provision of feedback about its services.

Consistent with the above purpose, this Charter underlines the following key features:

- i. the Vision, Mission and Core Values of the FCT as stated in its Strategic Plan;
- ii. the principles and spirit that guide the FCT in the delivery of the Services to its Clients;
- iii. the standards of service delivered to clients; and
- iv. information on how to reach FCT.

2.0 THE FCT OUTLOOK

The FCT is implementing its Strategic Plan which spells out the Vision, Mission and Core Values which constitutes guidance for services delivery as follows:

2.1 Vision:

To become the best appellate body in business competition and regulatory matters in Africa.

2.2 Mission:

To deliver timely justice on competition and regulatory appeals for enhanced market efficiency and consumer welfare.

7.1 Clients/Stakeholders Rights

Clients have the right to:

- i appeal to the Tribunal;
- ii be heard and respected;
- iii access services and information relating to the matter which is being pursued without contravening the laws, regulations and procedure;
- iv lodge complaints and get feedback on the complaint;
- v privacy and confidentiality

7.2 Clients/Stakeholders Responsibilities

i Clients' responsibilities include:

- ii Adhere to the policies, laws, regulations and procedures governing the provision of services by the FCT;
- iii behave in a decent manner and treat Members and staff of the FCT with respect;
- iv provide accurate information and respond timely within required time to do so;
- v attend case sessions, meetings and appointments as scheduled;
- v demonstrate professional conduct in case of legal counsel;
- v comply with Tribunal orders accurately and in a timely manner;
- vii pay necessary Tribunal fees and demand receipt of the payments;
- avoid unnecessary request for adjournment of cases; and
- avoid corrupt practices.

8.0 FEEDBACK AND COMPLAINTS HANDLING

The Tribunal has developed the complaints handling procedure that helps to ensure there is the efficient and effective handling of complaints that shows the Tribunal commitment on providing high quality services to the stakeholders and public in general.

The FCT welcomes constructive criticism and feedback about the services we deliver as well as suggestions on how we can improve them. Furthermore, we promise that complaints and suggestions will be dealt with in a timely manner by the respective departments and/or the ethical committee.

6.3 Response time for General Services

General Services	Response Time
Response to telephone calls	Within the first three rings
Response to customer e-mails	Within one (1) day from the date of receipt of the email
Response to clients/stakeholders' inquiries	Within one (1) day from the date of receipt of the inquiry
Provision of feedback to clients/stakeholders	Within five (5) days from the date of receipt of the complaints.
Response to customer /stakeholder letters	Within 7 working days

7.0 RIGHTS AND RESPONSIBILITIES OF CLIENTS

In this Charter, the FCT has attempted to set out service promises in respect of what we believe clients have the rights to expect in terms of standards, and we have consulted them in consideration of this important matter. In addition to the right to high standards of service delivery we consider that clients also have the following rights and responsibilities.

2.3 Core Values:

2.3.1 Timely justice

FCT will endeavour to ensure that cases brought before it are adjudicated expeditiously to enhance market efficiency and effectiveness.

2.3.2 Impartiality

FCT is an impartial adjudicative body which is governed by laws, rules of natural justice and fairness. When providing services to our clients, both Members and employees will demonstrate a high level of respect, courtesy and impartiality.

2.3.3 Professionalism

FCT will strive to provide services in a highly professional manner and make optimal efforts to enhance competence of the Tribunal Members and staff to ensure clients' satisfaction.

2.3.4 Efficiency and Effectiveness

The FCT, when discharging its mandate, will maintain high level of efficiency and effectiveness to ensure appropriateness, exactness and speedy disposal of cases.

2.3.5 Responsiveness

The FCT will be accessible by its clients with less stringent procedures and well exercised level of openness and fairness and promptly react to client needs.

2.4 FCT Mandate

The Fair Competition Tribunal derives its mandate from the Fair Competition Act, No. 8/2003, the Merchandise Marks Act, 1963 and other legislations that establish EWURA, TCRA, LATRA, PURA and TCAA. According to these legislations the Tribunal has jurisdiction to hear and determine competition and regulatory appeals arising from orders and decisions of the FCC/Chief Inspector of the Merchandise Marks Act and the Regulatory Authorities mentioned above.

3.0 THE FCT CLIENTS/STAKEHOLDERS

Our Strategic Plan identifies our main clients/stakeholders as partners in the administration of justice in competition and regulatory regime. The FCT clients/stakeholders are divided into two groups as follows:

3.1. Internal Clients/stakeholders

Internal clients/stakeholders of the FCT include:

- i. Members of the FCT;
- ii. Management Team; and
- iii. Employees of the FCT.

3.2. External Clients/Stakeholders

External clients/stakeholders of the FCT include:

- i. Government ministries, departments and agencies (MDAs);
- ii. the Parliament;
- iii. the Judiciary;
- iv. development partners;
- v. competition, infrastructure and utilities regulatory authorities;
- vi. goods and service providers;
- vii. consumer organizations;
- viii. goods and services consumers;
- ix. legal counsel;
- x. suppliers of FCT goods and services;
- xi. academic and research institutions; and
- xii. the media.

Furthermore, the FCT shall prepare a Public Register and keep it at its Registry for public inspection at all the time during business hours. All records of the proceedings, decisions and reasons for decisions will be kept in the Public Register and will be made available to the clients by the Registry Staff.

6.1.7 Information Technology

The FCT will apply IT fully in serving clients and other stakeholders. We will also maintain the IT standards in line with international best practice, clients' requests and appropriate technology.

6.2 Response time for FCT

Matter/issue	Response Time
Receiving and registering notice of appeal	1 Working day
Receiving and registering memorandum of appeal/cross	1 Working day
Receiving and registering applications.	1 Working day
Receiving and filing other documents	1 Working day
Publication of appeal in the Tribunal's website and in any widely circulated news paper	Within 7 working days after registration of an appeal
Admission of cases	1 working day
Hearing and Determination of Appeals/Application	within six (6) months after the date of filing
Issuance of copies of proceedings, judgment and	within ten (10) working days
Enforcement of decree	within two (2) months after filing application for execution

THE FCT STANDARDS OF SERVICE DELIVERY

6.1 Quality of service and standards

6.1.1 Staff attitude and behaviour

The FCT staff commits themselves to be friendly, helpful, respectful, honest and sensitive to Clients and to listen to their needs at all times.

6.1.2 Clarity

The FCT will ensure that all judgments, orders, letters, regulations, procedures, public notices, forms, reports and other information are as clear as possible and are easily understood by all clients and stakeholders

6.1.3 Appointments

The FCT will ensure that all appointments and Tribunal sessions take places as scheduled.

6.1.4 Responsiveness

The FCT will respond to and deal with all inquiries and acknowledge all written communication from clients and stakeholders as promptly as possible.

6.1.5 Emergencies

The FCT will respond to emergencies immediately, taking into account particular circumstances of each case and or procedures stipulated in the Tribunal rules.

6.1.6 Registry Services

The FCT will provide competent staff to guide and attend clients when filing appeals and applications in addition to ordinary registry services. The Registry staff will ensure that all relevant documents and information for guiding filing of an appeal and application are available during the filing process.

4.0 CLIENTS / STAKEHOLDERS' EXPECTATIONS

The FCT Strategic Plan identifies expectations of our clients/stakeholders. The following matrix specifies the clients/stakeholders and their respective expectations.

4.1 Internal Clients/Stakeholders

s/n	Clients/Stakeholders	Expectations
1.	Members of the FCT	<ul style="list-style-type: none"> • Commensurate and prompt remuneration; • Adequacy of the law governing competition and regulation in Tanzania; • Accorded technical support by staff and outside experts; • Availability of working tools; • Conducive working environment; • Respect and trust by the public; and • Accorded training on competition law and regulations to enhance knowledge and multi-disciplinary skills.
2.	Employees of the FCT	<ul style="list-style-type: none"> • Commensurate and prompt remuneration;

3.	Management Team	<ul style="list-style-type: none"> • Members and employees to provide services to the Tribunal in accordance with their engagement/contracts and directives provided by the Government; • Adequacy of the law; • Adequacy of the budget; • Timely funds disbursement; • Knowledgeable personnel; • Adequate manning level; and • Timely disposal of cases.
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9.	Academic and research institutions	<ul style="list-style-type: none"> • Quality decisions; • Accessibility of information
10.	The media	<ul style="list-style-type: none"> • Accessibility of information

5.0 THE FCT'S PRINCIPLES OF SERVICE DELIVERY

The FCT is committed to deliver timely, fair and responsive services under the following principles:

- i to operate under reduced formalities and less stringent procedures for the purposes of attaining the objectives of the Fair Competition Act, 2003;
- ii to ensure that all procedures and communications are clear and simple for Clients to understand and follow;
- iii to ensure that all information and pieces of advice provided to clients and stakeholders are accurate and up-to date;
- iv to ensure that Members and staff of the Tribunal discharge their duties and responsibilities in a professional and ethical manner at all times;
- v to consult and involve clients and stakeholders in order to help the FCT in exploring more ways of increasing efficiency;
- vi to set clear standards of services that clients can expect, and undertake evaluation against these standards for addressing any shortcomings;
- vii to respond to queries and requests for services from clients and stakeholders in a timely manner as set out in standard for service delivery.

6.	Competition, infrastructure and utilities regulatory authorities	<ul style="list-style-type: none"> • Speedy hearing of cases; • Adherence to policies and laws; • Efficient utilization of the allocated resources; and • Clear rules of procedures.
7.	Judiciary of Tanzania	<ul style="list-style-type: none"> • Clear rules of procedures; • Speedy disposal of cases; and • Adherence to the relevant laws.
8.	Development partners	<ul style="list-style-type: none"> • Competent, efficient and independent Tribunal; • Value for money in the use of public funds and property; • Update information on projects; • Transparency and accountability in the use of donor funds; • Quick response to financial queries; and • Attainment of the policy objectives.

4.2 External Clients/Stakeholders

s/n	Clients/Stakeholders	Expectations
1.	Legal counsel	<ul style="list-style-type: none"> • Speedy hearing of appeals cases; • Timely disposal of cases; • Easy accessibility to the Tribunal; • Clear rules of procedures; • Issuance of notices and summons in time; • Adherence to the laws, rules, regulations and procedures; and • Bold and reasoned judgment.
2.	Goods and service providers	<ul style="list-style-type: none"> • Easy accessibility to the Tribunal; • Clear rules of procedures; • Speedy hearing of appeal cases; • Adequate management information systems; • Adherence to the policies and laws;

		<ul style="list-style-type: none"> • Fair hearing and decisions; • Proper exercise of powers by the Tribunal; • Promotion and protection of competition in the market; and • Curbing unfair and misleading market conduct.
3.	Suppliers of FCT goods and services	<ul style="list-style-type: none"> • Transparent, fair and competitive tendering processes; • Timely payment for the goods and services provided; • Speedy response to suppliers' inquiries; and • Transparent engagement contracts.

4.	Consumer consultative councils and individual consumers	<ul style="list-style-type: none"> • Easy accessibility to the Tribunal; • Clear rules of procedures; • Speedy hearing of appeal cases; • Adherence to the policies and laws; • Fair hearing and decisions; • Proper exercise of powers by the Tribunal; • Promotion and protection of competition in the market; • Curbing unfair and misleading market conduct; and • Consumer protection.
5.	Government, Parliament, Government departments and agencies (MDAs).	<ul style="list-style-type: none"> • Competent and efficient Tribunal • Attainment of the policy objectives; • Speedy correspondences; • Adherence to policies and laws; • Efficient utilization and proper management of the allocated resources; and • Timely submission of periodic reports.