

RB

THE UNITED REPUBLIC OF TANZANIA
PRIME MINISTER'S OFFICE
TANZANIA INVESTMENT CENTRE

Tel: No. (255) 22 2116328 - 29
Fax: (255 - 22)- 2118253
E-mail:information@tic.go.tz
Website:www.tic.go.tz
In reply please quote:



Plot No. 9A & B
Shabaan Robert Street
P.O.Box 938
11410 - DAR ES SALAAM

Ref: No. TIC/PP.10/042693/13

29th September, 2020

Managing Director,
Hengya Cemnet (T) Co. Limited,
P.O Box 606,
TANGA.

Ref: APPLICATION FOR EXTENSION OF CERTIFICATE OF INCENTIVES

Kindly refer to the above heading, your letter dated 17th September, 2020 and the meeting with your representative at TIC in this regard.

2. As you will recall, during our meeting Tanzania Investment Centre (TIC), reiterated the importance of finalizing legal process for Hengya Cement to own the land parcel earmarked for the project at Amboni area in Tanga Municipality by signing the Derivative Title copies handled over to you by TIC and settle any outstanding land rent amounts plus 10% TIC facilitation fee as per invoices generated by TIC prior processing the implementation period extension.
3. It is our anticipation that you will meet these requirements on timely manner to enable TIC proceeds with processing the extension request.

Kindly be guided accordingly,

Revocatus A. Rasheli

For: EXECUTIVE DIRECTOR



HENGYA CEMENT (TANZANIA) CO., LTD.

Add: Hengya Road 1#, Amboni, Mabokweni, Tanga Region, Tanzania.

P.O. BOX: 606 TANGA Contact: +255 765 996 666

14

Ref No. HY-10

Executive Director

Tanzania Investment Centre

P. O. Box 938

DAR ES SALAAM

Date: 7th October, 2020



DIF
FYA
[Signature]
7/10/2020

Ref: Regarding the application for extension of certificate of incentives

Please refer to the above heading, the application of Hengya Cement dated on 17th September, 2020 and your letter dated on 29th September, 2020.

Your letter dated on 17th September, 2020 mentioned that Hengya Cement is requested to sign the Derivative Title copies and settle any outstanding land rent amounts plus 10% TIC facilitation fee prior processing the implementation period extension of the Certificate of incentive which Hengya Cement didn't understand and accept due to the following reasons:

1. Hengya Cement has submitted all the reasons and relevant evidences for the implementation period extension according to the requirements of TIC.
2. According to TIC's requirement, the investor could apply and extend the certificate of incentive with the lease agreement, and Hengya Cement has already completed the land compensation and submitted the land MOU to you, therefore the application implementation period extension of the certificate of incentive meets your requirement regarding the land. So, We do not understand the reason why TIC does not process our application of extending the implementation period.
3. Hengya agreed to sign the leasehold agreement for derivative title, but Hengya could not accept the annual rent bill issued by TIC. Please refer to the annual rent receipt issued by TIC to Hengya on January 19, 2018. The annual rent was 72,937,000 TZS which Hengya has already paid, and the annual rent of TIC's September 17, 2020 bill is 109,984,350 shillings which Hengya can't accept. Please TIC coordinate to correct the annual rent to



HENGYA CEMENT (TANZANIA) CO., LTD.

Add: Hengya Road 1#, Amboni, Mabokweni, Tanga Region, Tanzania.

P.O. BOX: 606 TANGA Contact: +255 765 996 666

the original amount and issue a corrected bill (annual rent of 72,937,000 shillings) to Hengya. The amount of the TIC 10% facilitation fee should also be calculated based on the original annual rent and re-billed.

Hengya's investment project in Tanzania needs obtain various legal permits in accordance with legal requirements before starting construction. Therefore, Hengya spent a long time communicating with the government in order to obtain various permits (including terminal permits, etc.). All process documents are believed to be archived in TIC. TIC knows Hengya's efforts for the success of the project better than any other government department. In order to help investors complete investment as soon as possible, TIC has established a one-stop service center, including certificate of incentive /labor/immigrant services etc., but all service departments work at the same time to help investors solve problems, and should not restrict each other and affect investors Investment progress.

Since Hengya needs to import related equipment before the start of construction, Hengya hopes that TIC will coordinate and resolve the issue of the implementation period extension of certificate of incentive as soon as possible to help investors prepare for the construction. Please correct the annual rent of the land and issue a new bill of annual rent and bill of 10% TIC facilitation fee and send to Hengya.

Thank you TIC for your continuous help and support, and we await your positive response.

Best regards.

For: Managing Director – Mr. Ping Li

Hengya Cement (T) Co., Ltd

JAMHURI YA MUUNGANO WA TANZANIA
OFISI YA WAZIRI MKUU
KITUO CHA UWEKEZAJI TANZANIA

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Unapojibu Tafadhali taja:
TIC/PP.101/042693/15



Kiwanja Na. 9A & B
Mtaa wa Shabaan Robert
Sanduku la Barua 938
11410 - DAR ES SALAAM

12/10/2020

Kumb Na:.....
Kamishna Msaidizi wa Ardhi,
Mkoa wa Tanga,
S.L.P 5058,
LINDI

**YAH: MAELEZO KUHUSU TOZO YA KODI YA PANGO LA ARDHI YA KIWANJA
NA. 1 KITALU 'A' AMBONI-TANGA JIJI**

Tafadhali, rejea somo tajwa hapo juu.

- 2 Kituo cha Uwekezaji Tanzania (TIC) kipo katika zoezi la ukusanyaji wa kodi ya pango la ardhi katika viwanja vyote vilivyopangishwa kwa wawekezaji. Katika mchakato huo TIC imekutana na changamoto ya tofauti za gharama kodi ya pango la ardhi ya kiwanja Na. 1 kitabu 'B' Amboni Tanga Jiji.
- 3 Kiwanja husika kimetozwa kodi ya Tsh 72,936,990.00 kwa mwaka wa fedha 2018/2019 na 2019/2020 katika *land rent assessment* iliyotolewa tarehe 23 Aprili, 2020 aidha katika *land rent assessment* iliyotolewa tarehe 17 Septemba, 2020 kiwanja husika kimetozwa Tsh 109,984,350.00 kwa mwaka 2018/2019, 2019/2020 na 2020/2021.
- 4 Hivyo, TIC inaomba maelekezo kuhusu tofauti za kodi za pango la ardhi tajwa hapo juu ili iweze kumpatia mwekezaji kwa ajili ya kufanya malipo.
- 5 Nakala za land rent assessment zimeambatanishwa.
- 6 Nakushukuru kwa ushirikiano wako.

Revocatus A. Rasheli
K.n.y: **MKURUGENZI MTENDAJI**

Nakala: Mkurugenzi Mkuu,
Hengya Cement (T) Ltd,
Mabokweni,
S.L.P 606
TANGA.

JAMHURI YA MUUNGANO WA TANZANIA
WIZARA YA ARDHI, NYUMBA NA MAENDELEO YA MAKAZI

Nukushi: 028 270 0211
Baruapepe:actanga@ardhi.go.tz



Kamishna wa Ardhi Msaidizi,
Mkoa wa Tanga,
S.L.P. 5058,
Tanga

Tafadhali unapojibu taja:

Kumb. Na. LD/TA/GF/035/11

Mkurugenzi Mkuu,
Tanzania Investment Centre,
S.L.P 938,
Dar es Salaam.



26/08/2020

YAH: MALALAMIKO YA FIDIA YA MASHAMBA YA WANANCHI WA KATA YA MTIMBWANI NA KWALE WILAYANI MKINGA.

Rejea barua yenye **Kumb. Na.WV/K/MK VOL.124/6/2020** ya tarehe 24/06/2020 (Nakala ya kivuli imeambatanishwa kwa rejea).

Hii ni kukufahamisha kuwa tumepokea malalamiko toka kwa wananchi wa Kata ya Mtimbwan na Kwale Wilayani Mkinga wakiilalamikia Kampuni ya kigeni toka china ya *Hengya Cement Tanzania*-Tanga kuchukua maeneo yao ya mashamba waliyokuwa wanayamiliki kiasili bila kulipa fidia kwa mujibu wa sheria. Aidha, kumbukumbu zilizopo kwenye ofisi ya Mkurugenzi Mtendaji wa Halmashauri ya Wilaya ya Mkinga zinaonesha kuwa Kampuni hiyo imewalipa fidia baadhi ya wananchi waliochukuliwa maeneo yao kwa ajili ya uwekezaji na baadhi ya wananchi hawajalipwa fidia hiyo hadi sasa.

Fidia inayolalamikiwa na wananchi hao ni ile inayotokana na maeneo yaliyoongezwa kwenye mradi, maeneo ya makaburi yaliyopo kwenye mradi, kutokulipwa fidia kwa mazao aina ya mihogo ndani ya eneo la mradi, maeneo yaliyokuwa ndani ya mradi na hayakulipwa fidia na mapunjo ya mazao na Ardhi yaliyopo ndani ya eneo la mradi. Kumbukumbu zinaendelea kuonyesha kuwa jumla ya fidia inayolalamikiwa na wananchi hao ni **Tshs. 347,150,012.63** kwa wananchi wanaokadiriwa kufikia takribani **142**. Hii ni kinyume na Sheria ya Ardhi Na. 4 ya mwaka 1999 kifungu cha **3(g)**.

Kwa kuwa Kampuni hii ipo kwenye orodha ya Kampuni zinazosimamiwa na "*Tanzania Investment Centre-TIC*" na kwa barua hii tunawasilisha madai yao kwenu ili wananchi hao waliochukuliwa maeneo yao kwa ajili ya uwekezaji waweze kulipwa kwa wakati na wapate haki yao stahili kwa mujibu wa Sheria.

Gwakisa T.
Kamishna wa Ardhi Msaidizi

Nakala: Katibu Mkuu,
40477 Dodoma

Kamishna wa Ardhi,
40477 Dodoma

Katibu wa Mhe. Waziri wa Ardhi, Nyumba na Maendeleo ya Makazi
40477 Dodoma

Katibu wa Mhe Mkuu wa Mkoa
S.L.P 5095,
Tanga

Katibu Tawala Mkoa
S.L.P 5095,
Mkoa wa Tanga

Katibu Tawala Wilaya
S.L.P 2008
Mkinga

Mkurugenzi Mtendaji (W)
S.L.P 6005
Mkinga

Meneja-TIC
Kanda ya Kaskazini
S.L.P 7735
Moshi

Hengya Cement Tanzania Co. Ltd
S.L.P 600
Tanga

Wananchi wa Kata ya Mitambwani na Kwale,
Wilaya ya Mkinga
Mkinga

JAMHURI YA MUUNGANO WA TANZANIA
WIZARA YA ARDHI, NYUMBA NA MAENDELEO YA MAKAZI

Nukushi: 028 270 0211
Baruapepe:actanga@ardhi.go.tz



Kamishna wa Ardhi Msaidizi,
Mkoa wa Tanga,
S.L.P. 5058,
Tanga

Ag. DIR (T)
Tafadhali Sham
Ag EXD
13/10/20

Tafadhali unapojibu taja:

Kumb. Na. LD/TA/GF/035/11

Mkurugenzi Mkuu,
Tanzania Investment Centre,
S.L.P 938,
Dar es Salaam.



26/08/2020

YAH: MALALAMIKO YA FIDIA YA MASHAMBA YA WANANCHI WA KATA YA
MTIMBWANI NA KWALE WILAYANI MKINGA.

Rejea barua yenye Kumb. Na. WV/K/MK VOL.124/6/2020 ya tarehe 24/06/2020 (Nakala ya
kivuli imeambatanishwa kwa rejea).

Hii ni kukufahamisha kuwa tumepokea malalamiko toka kwa wananchi wa Kata ya Mtimbwan
na Kwale Wilayani Mkinga wakiilalamikia Kampuni ya kigeni toka china ya *Hengya Cement*
Tanzania-Tanga kuchukua maeneo yao ya mashamba waliyokuwa wanayamiliki kiasili bila
kulipa fidia kwa mujibu wa sheria. Aidha, kumbukumbu zilizopo kwenye ofisi ya Mkurugenzi
Mtendaji wa Halmashauri ya Wilaya ya Mkinga zinaonesha kuwa Kampuni hiyo imewalipa
fidia baadhi ya wananchi waliochukuliwa maeneo yao kwa ajili ya uwekezaji na baadhi ya
wananchi hawajalipwa fidia hiyo hadi sasa.

Fidia inayolalamikiwa na wananchi hao ni ile inayotokana na maeneo yaliyoongezwa kwenye
mradi, maeneo ya makaburi yaliyopo kwenye mradi, kutokulipwa fidia kwa mazao aina ya
mihogo ndani ya eneo la mradi, maeneo yaliyokuwa ndani ya mradi na hayakulipwa fidia na
mapunjo ya mazao na Ardhi yaliyopo ndani ya eneo la mradi. Kumbukumbu zinaendelea
kuonyesha kuwa jumla ya fidia inayolalamikiwa na wananchi hao ni Tshs. 347,150,012.63 kwa
wananchi wanaokadiriwa kufikia takribani 142. Hii ni kinyume na Sheria ya Ardhi Na. 4 ya
mwaka 1999 kifungu cha 3(g).

Kwa kuwa Kampuni hii ipo kwenye orodha ya Kampuni zinazosimamiwa na "Tanzania
Investment Centre-TIC" na kwa barua hii tunawasilisha madai yao kwenu ili wananchi hao
waliochukuliwa maeneo yao kwa ajili ya uwekezaji waweze kulipwa kwa wakati na wapate haki
yao stahili kwa mujibu wa Sheria.

Gwakisa T.
Kamishna wa Ardhi Msaidizi

Nakala: Katibu Mkuu,
40477 Dodoma

Kamishna wa Ardhi,
40477 Dodoma

Katibu wa Mhe. Waziri wa Ardhi, Nyumba na Maendeleo ya Makazi
40477 Dodoma

Katibu wa Mhe Mkuu wa Mkoa
S.L.P 5095,
Tanga

Katibu Tawala Mkoa
S.L.P 5095,
Mkoa wa Tanga

Katibu Tawala Wilaya
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S.L.P 7735
Moshi

Hengya Cement Tanzania Co. Ltd
S.L.P 600
Tanga

Wananchi wa Kata ya Mitambwani na Kwale,
Wilaya ya Mkinga
Mkinga

(18)

CONFIDENTIAL
JAMHURI YA MUUNGANO WA TANZANIA
OFISI YA WAZIRI MKUU
KITUO CHA UWEKEZAJI TANZANIA

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Unapojibu Tafadhali taja:



Kiwanja Na. 9A & B
Mtaa wa Shabaan Robert
Sanduku la Barua 938
11410 - DAR ES SALAAM

Kumb Na:.....**TIC/PP..10/042693/18**

20 Oktoba, 2020

Kamishna wa Ardhi Msaidizi,
Mkoa wa Tanga,
S.L.P 5058,
TANGA

**YAH: MALALAMIKO YA FIDIA YA MASHAMBA YA WANANCHI WA KATA
YA MTIMBWANI NA KWALE WILAYA YA M KINGA**

Tafadhali rejea barua yako ya tarehe 26/08/2020 yenye Kumb.Na.LD/TA/GF/035/11 kuhusiana na mada tajwa hapo juu.

2. Kituo cha Uwekezaji Tanzania (TIC) kinakiri kupokea barua yako tajwa hapo juu kuhusiana na madai ya fidia ya TZS 347,150,012.63 ya mashamba ya wananchi takribani 142 wa Kata ya Mtimbwani na Kwale Wilaya ya Mkinga Mkoa wa Tanga ili kupisha uwekezaji uliokusudiwa kufanywa na mwekezaji M/S Hengya Cement (TZ) Limited.
3. Kituo kinapenda kukufahamisha kuwa eneo husika bado halijamilikishwa kwa TIC na mwekezaji M/S Hengya Cement (TZ) Limited kupewa hati ya upangaji ya uwekezaji (Derivative Right) kutokana na kutokukamilika kwa hatua za awali za upatikanaji ardhi hii ikiwemo suala la fidia.
4. Zoezi la uhakiki wa madai ya fidia ya wananchi 142 wa Kata ya Mtimbwani na Kwale Wilaya ya Mkinga linaendelea kuratibiwa na Mkurugenzi wa Halmashauri ya Wilaya ya Mkinga na kusimamiwa na Ofisi ya Mkuu wa Mkoa wa Tanga.
5. Hivyo kupitia barua hii tungependa kukushauri kuwa uwasiliane na ofisi tajwa hapo juu kwa ajili ya kujua hatma ya madai ya fidia ya wananchi wa Kata za Mtimbwani na Kwale Wilaya ya Mkinga.

Tunatanguliza shukrani zetu.


R.A.Rasheli

Kny: MKURUGENZI MTENDAJI

Nakala: Katibu Mkuu,
Wizara ya Ardhi, Nyumba na Maendeleo ya Makazi,
Mji wa Serikali Mtumba,
S.L.P 2908,
40477 DODOMA

CONFIDENTIAL

Kamishna wa Ardhi,
Wizara ya Ardhi, Nyumba na Maendeleo ya Makazi,
Mji wa Serikali Mtumba,
S.L.P 2908,
40477 DODOMA

Katibu wa Waziri,
Wizara ya Ardhi, Nyumba na Maendeleo ya Makazi,
Mji wa Serikali Mtumba,
S.L.P 2908,
40477 DODOMA

Katibu wa Mkuu wa Mkoa,
Mkuu wa Mkoa wa Tanga,
S.L.P 5095,
TANGA.

Katibu Tawala (M),
S.L.P 5095,
TANGA

Katibu Tawala (W),
S.L.P 2008,
MKINGA

Mkurugenzi Mtendaji,
Halmashauri ya Wilaya ya Mkinga,
S.L.P 6005,
MKINGA

Mkurugenzi Mtendaji,
Hengya Cement (Tz) Limited,
S.L.P 600,
TANGA

MINUTE SHEET

DOKEZO
No.

AG EXD-F19 , M16

This cement and clinker manufacturing project is a strategic one approved by NISC in 2017 and was issued by Col in 2014 hence it has 6 years implementation period having extended about 3 times already and yet its establishment has not commenced except the plot fencing, site clearance and procurement of construction equipment and trucks. The reasons for project delays are;

- i. Delays in obtaining DR and investors have not signed DR to-date although all DR documentations are ready and handed over to them
- ii. Delays in transferring mining licenses from original owners and Environmental approvals
- iii. Delays by the government to approve construction of own Jetty at Amboni or Mkinga and after discussions for 4 years finally it has been decided by government that Jetty should not be constructed by private investors. Initially, the project was planned to be implemented at Amboni where all land approvals were granted however, the government proposed the project to be implemented in Mkinga District a location more suitable for Jetty operations and after land was obtained in Mkinga and compensations made, the Jetty projects was shelved by Government. It has finally been decided to implement the project at the Amboni original site.
- iv. Delays in obtaining approval for additional fiscal incentives as strategic investor following NISC approval in 2017.

In view of the status, challenges facing the project and planned activities to complete establishment it has been recommended in the PVV report that the **project be granted project implementation period extension of three years** to facilitate its establishment. The approval for three years extension should be tied up with a condition precedent for investor to clear any outstanding land rent, TIC 10% facilitation arrears and signing of the Amboni DR documents by investors.


Revocatus Rasheli

Ag. DIF

04 November, 2020

MINUTE SHEET

DOKEZO
No.



THE UNITED REPUBLIC OF TANZANIA
PRIME MINISTER'S OFFICE
TANZANIA INVESTMENT CENTRE



21

In reply, please quote:

Ref.No.TICC/PP.10/042693/21

15th December 2020

Managing Director,
Hengya Cement (Tanzania) Company Limited,
P.O.Box 606,
TANGA

RE: APPLICATION FOR EXTENSION OF CERTIFICATE OF INCENTIVES

Reference is made to your letter with Ref.No.HY-09-2020 dated 17th September, 2020 in respect of above captioned subject matter.

2. Tanzania Investment Centre (TIC) would like to inform you that your application for extension of implementation period of your Certificate of Incentive No.042693 for another three (3) years is approved with effect from the date of this letter.
3. However, this approval for extension of the implementation period of your certificate of incentive is subject to signing the draft derivative right documents, clearing of outstanding land rent arrears and 10% TIC facilitation fee which at the time of writing this letter it stands at **TZS 368,325,100.00** and **TZ 36,832,510.00** respectively in respect of Plot No.1 Block "B" situated at Amboni Area in Tanga Region.
4. It is our anticipation that you will be able to meet these requirements timely to enable the TIC to proceed with extension of Certificate of Incentives.

Please be advised accordingly.

J.M.Baitu

For: EXECUTIVE DIRECTOR

