



Everyone under 18 years old is a child.

All children in Tanzania are protected

by the Law of the Child Act 2009

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The Law of the Child Act 2009

Know your rights

The Law of the Child Act 2009

Introduction

The Tanzania Law of the Child Act 2009 brings together child specific provisions from a range of national laws into one document. For the first time, the Law enshrines key child rights, drawn from international and regional agreements. It establishes a framework for protection of children from abuse, violence and neglect at local and national levels, and sets standards for juvenile justice. Existing provisions for children who need care outside their own homes, as well as restrictions on child employment have been strengthened in this new law.

The purpose of this booklet is to provide a clear, easy to understand guide to the Tanzanian Law of the Child Act 2009. It is written in sections which group together the main themes of the Act. The booklet is designed primarily for young people, but may also be useful to those who work with children in all areas of care, education, health and employment. It is not a definitive version of the law, and should not be used as a legal document. Please refer to the Act for all points of law.



Know your rights

Children have the right to a name and a nationality and to be registered at birth.

It is against the law for anyone to treat a child unfairly because they are a girl or a boy, or because of their age or religion or where they come from or because they are poor.

Children have the right to express their opinions on decisions that affect their lives and adults must consider their views when taking these decisions.

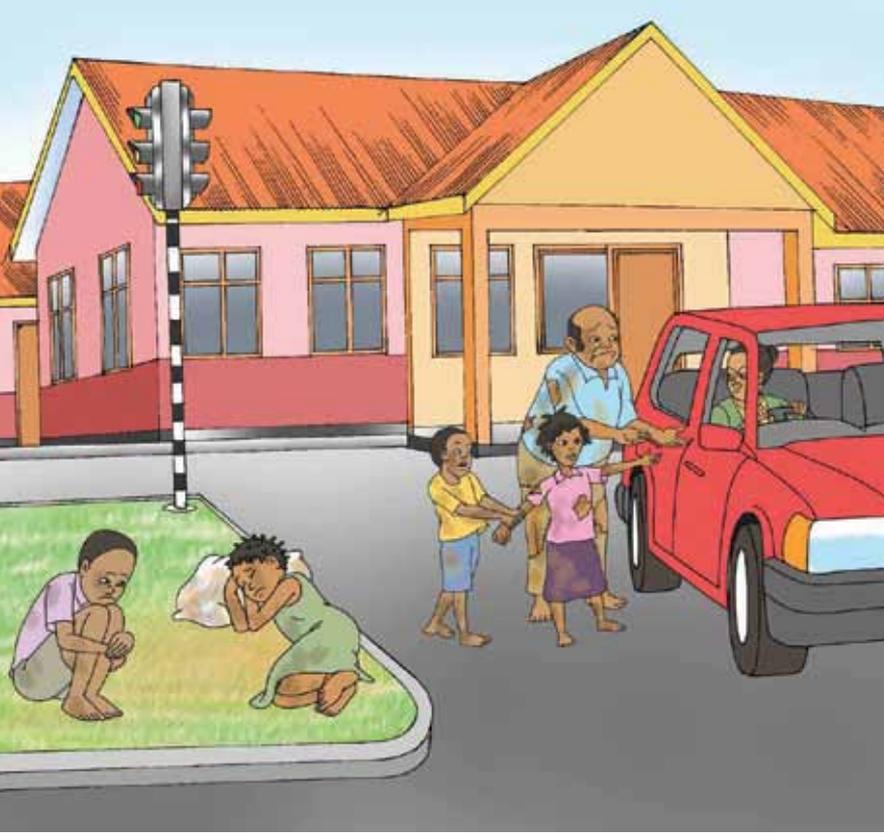


Family Life

Children have the right to know and live with their parents in a caring, peaceful home. Children also have a responsibility to respect and help their families.

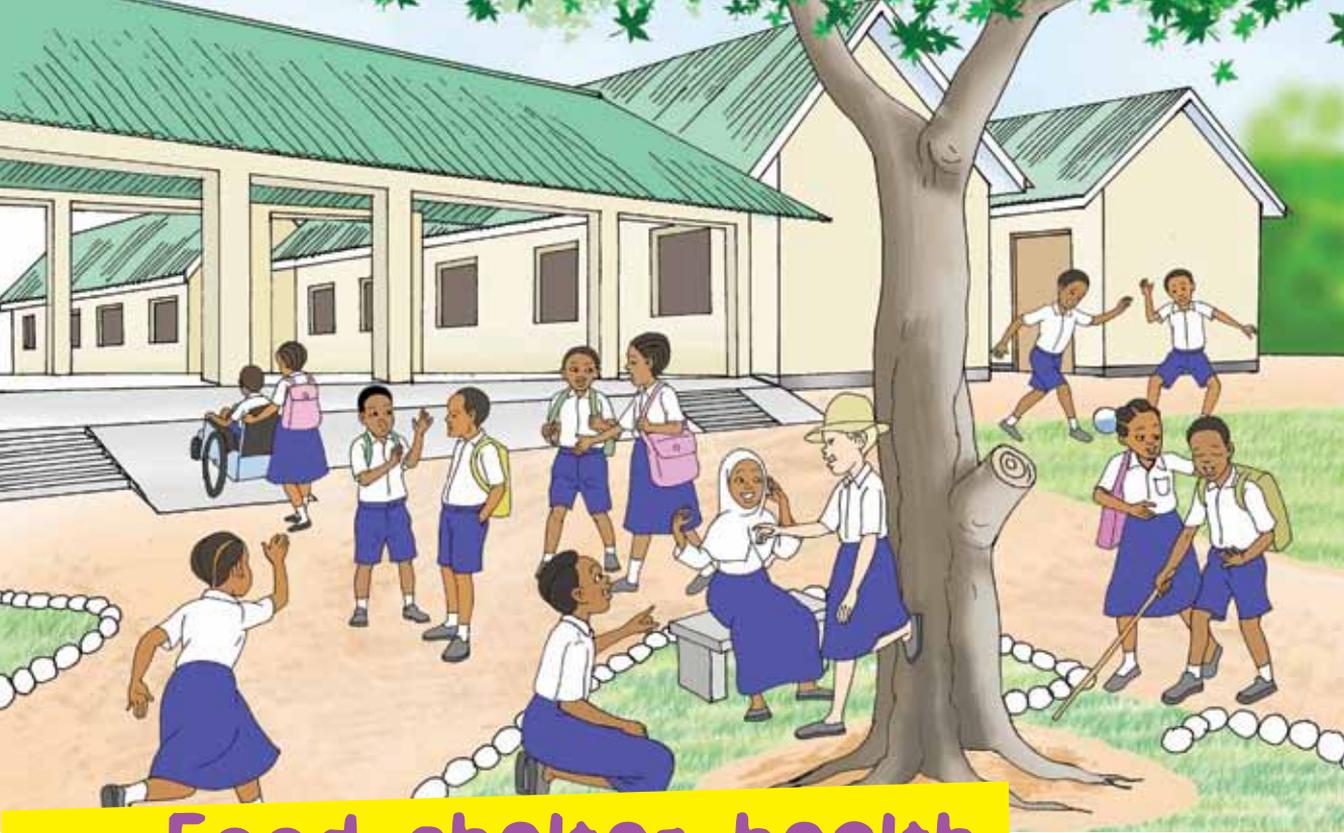
If parents divorce, the Court will decide where the child will live. Children under seven years usually live with their mothers. A child has the right to visit and stay with the other parent, unless this interferes with going to school.

Fathers should contribute to the upkeep of their children until they are 18 years old. If a child's parents die, and there are no other relatives to care for the child, or if a child is neglected, abandoned or abused by their parents, the State should ensure they have a safe place to stay.



Children found begging or living on the streets may be returned to their families. If it is not safe for children to live with their parents, the authorities may arrange for the child to live with a foster family or in an approved residential home.

Children may also be adopted if the adopted parents are approved and show they can take proper care of the child.

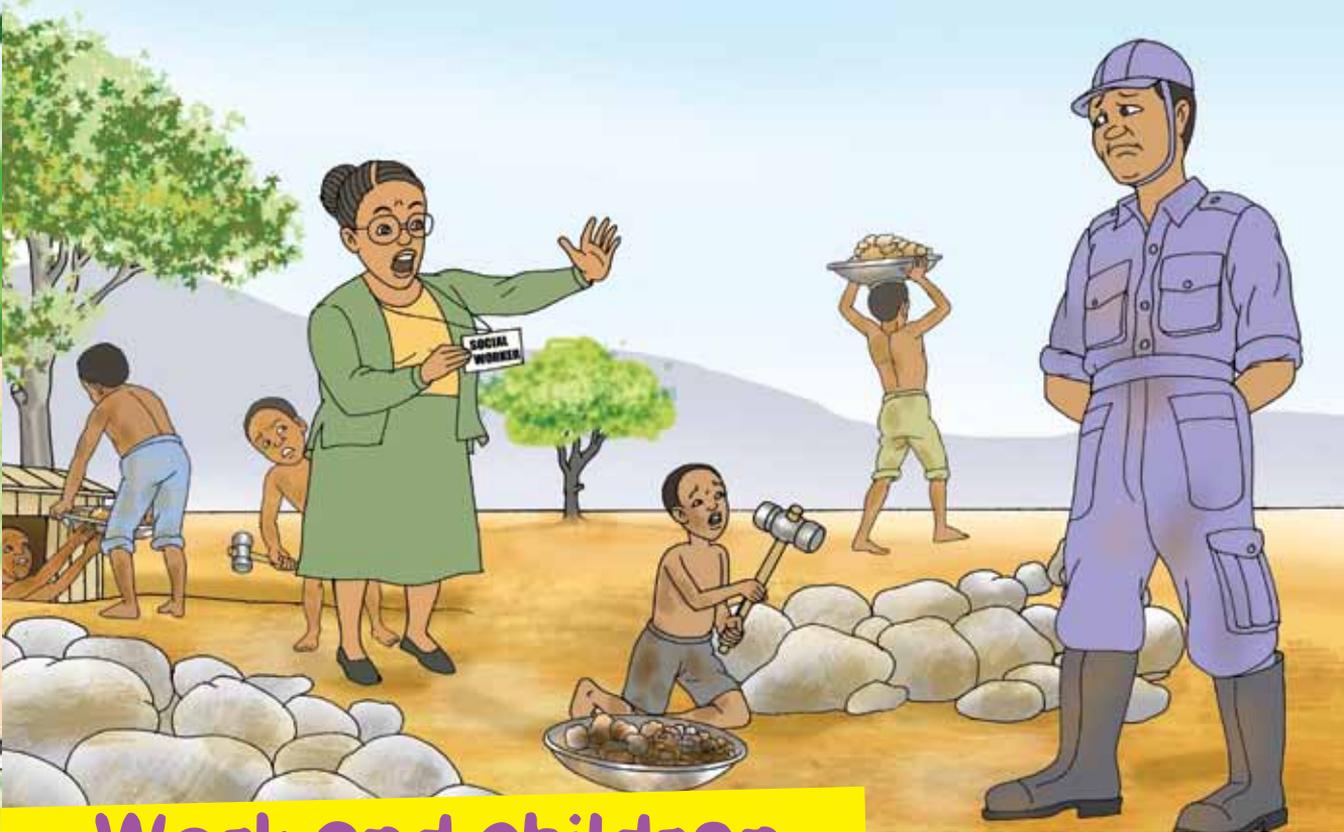


Food, shelter, health care and school

Parents and guardians must protect children from harm. They must also make sure children have food, clothing and a safe place to live.

Parents must make sure children are immunized against diseases. Children who are sick should be taken to a clinic.

Parents must send children to school and give them time to play and rest. Special care and treatment should be given to children with disabilities so that they can go to school like any other child.



Work and children

Children only have a right to work after they are 14 years old. Work must not stop a child from going to school or having time for study and rest. Children must not be employed to work at night.

Anyone who makes a child work too hard, or does not pay them properly, is breaking the law.

It is illegal to employ a child if the work is dangerous. Children are not allowed to work at sea, work in a mine or quarry, carry heavy loads or work with chemicals or machines. Children are not allowed to work in hotels or bars.



Protection of children

No one is allowed to harm, injure or exploit a child. Anybody who knows that a child is being abused or badly treated must report it.

Punishment of a child should not be harsh or humiliating.



Justice for children

Special courts called Juvenile Courts are supposed to be set up to deal only with children. These Courts do not deal with all children's cases, rather they focus on child protection, child care and children in conflict with the law. At these special courts, Magistrates try to make sure children are not frightened, that they understand what is happening and can give their views. At the Juvenile Court, children have the right to be defended by a lawyer.

They must also be allowed to express their own opinions and give their own account of what has happened. Children who are accused of a crime and are brought to a police station may be released to their parents or may be sent to a retention home to wait for the court case. Children who are found guilty of a crime may be released on condition of good behavior, or sent to an approved school. Children are not allowed to be put in prison.



The Law of the Child Act is there to protect children from harm

Learn the Law

learn your rights and

respect the rights of others

