

Library's Legal Framework: Legislations, Regulations and Policies on Educational Transformation in Tanzania-An Enabler or Deterrent?

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ABSTRACT

This is an exploratory paper which presents an analysis of the state of the library legal framework, and its impact on educational transformation in Tanzania. The paper focuses on legal and policy aspects of the law, to establish whether they enable or deter the education transformation process and to propose reforms. The data were collected through document analysis. The reviewed documents include the Education Act Cap 353 of 2002 and the School Library Resource Centres Regulations (2002); Copyright and Neighboring Rights (Licencing of Reproduction and Rental Rights) Regulations, 2014; Education policy of 2014; the National Library Policy; and Tanzania Library Service Board Act 1975. Others are the Sokoine National Agricultural Library Act No 7 of 1991; the role of Open Educational Resources (OER) in education, and the significance of the legal framework. The study established that the 2014 Education Policy is silent on library-related issues. Although the Education Act Cap 353 sect 60 (u) G.N No.282 (2002) assigns the Minister of education powers to affect the provisions of the Act, such instructions are missing in the parent Education Act. Some sections of the Legal Framework are inconsistent with the educational transformation in Tanzania. Based on these findings, it is argued here that a conducive environment for educational transformation may be attained by the following. First, by amending the existing legal framework. Second, by ameliorating the legal framework of the Education Act Cap 353 60 (u), Copyright and Neighboring Rights (Licencing of Reproduction and Rental Rights) Regulations (2014). Third, by enhancing awareness amongst library professionals of the laws, regulations and policies enacted by the Government.

Keywords: *Educational transformation, legal framework, policy framework, libraries*

INTRODUCTION

John (2022) defined transformation as a complete change, usually into something with improved usefulness. Sheinberg (2017), on the other hand, has described transformation as the creation of something new that has never existed before and could not be predicted from the past. Globally, the education sector is challenged by the need to respond to new demands in order to build the future we need. The purpose of educational transformation as envisaged by UNESCO (2022) is to ensure the right to lifelong learning by providing all learners of all ages, in all contexts, the knowledge and skills they need to realize their full potential and live with dignity. Indeed, education transformation is ushered to ensure that lifelong learning can no longer be limited to a single period of one's lifetime. Thus, everyone, starting with the most marginalized and disadvantaged groups in societies, must be entitled to learning opportunities throughout one's life in both employment and personal engagements. Sufficing it to say that the demands on educational transformation can be successfully attained in an environment where the existing legal framework and policies support the place and educational functions of libraries in society. This is because historically, libraries have been regarded as powerhouses, treasures of knowledge, the cradle for human development, and civilization and gateways to knowledge and culture (White, 2012).

Hence, the services and resources libraries offer, create opportunities for learning, literacy, and education and shape new ideas and innovative society. Besides, libraries play a key role in ensuring that the records and knowledge created and accumulated for posterity, are well preserved. In emphasising the importance and pivotal role of libraries in society. White (2012) asserts that without libraries, it would be difficult to advance research and human knowledge or preserve the world's cumulative knowledge and heritage for future generations. In this context, libraries are perhaps more valuable institutions for educational transformation because of their role as transmitters of societal values and traditions from generation to generation and because of their role as modifiers of human behaviour. In carrying out the responsibility of providing services to the general public, libraries need to be guided by a robust, clear and supportive legal framework for the execution of their operations. Arguably, the legal

framework establishes legal provisions for the establishment, maintenance, services, functions, rights, and management of a library system under the government. It is through the legal framework that the existence of the library as an institution is safeguarded. The term legal framework, according to Collins Dictionary (2022), refers to a context in which the rules, rights, and obligations of governments, and citizens are outlined in a system of legal documents. Documents in the legal framework include; a country's constitution, legislation, policy, regulations and contracts. Van der Sangen (2010) asserts that the legal framework includes not only the core component of the legislation itself but also the institutional, administrative, political, social and economic conditions or arrangements, which make the legislation available, accessible, enforceable and therefore effective. Thus, the objective of this study was to review key educational and library policies, regulations, laws and reports and establish their relationship to education transformation in Tanzania

Methodology

In this qualitative study, data were collected through documentary review. The reviewed documents were related to educational policies, laws, regulations and reports that are related to education and libraries. These documents include the Tanzania Education and Training Policy (1995), Tanzania Education and Training Policy (2014), Education Act Cap 353 of 2002 and the School Library (Resource Centres) Regulations in Tanzania. Others are Copyright and Neighbouring Rights (Licencing of Reproduction and Rental Rights) Regulations (2014), Legal Deposit Law (1962), Tanzania Library Services Board (1975), the Sokoine National Agricultural Library Act No 7 of 1991 and administrative documents. International policies and guidelines enacted by international bodies which affect the profession and all parts of the legal framework related to libraries were also reviewed. The analysis of the documents was mainly intended to ensure that any points or clauses in the existing library legal framework and related documents which appear to impede the educational transformation in Tanzania are brought to the fore and eliminated. This is to enhance its efficiency and efficacy, as a guiding legal document in library practice and management in Tanzania.

The Education (School Library Resource Centres) regulations (2002) (IFLA/UNESCO, 2006) describes the school library as a centre of learning that provides information and ideas which are fundamental to functioning successfully in today's information and knowledge-based society. In the same vein, IFLA (2015) posits that distinguishing features of a school library comprise a qualified school librarian and diverse collections that support the school's formal and informal curriculum. Other features include an explicit policy and plan for ongoing growth and development. Therefore, School library resource centres are regarded as the heart and an agent of educational activities in secondary schools. If the heart fails to function properly then life becomes in danger, this is especially true for the school library resource centres. For the school library resource centres to function effectively and efficiently, they need to be guided by well-articulated regulations and policies. It is in the realisation of this fact that the government of the United Republic of Tanzania enacted the Education Act Cap 533 (URT, 2002). Section 60 (u) of the Act (2002) instructed the Minister responsible for education to prepare and issue School Library Resource Centres Regulations.

The regulations were published in the Official Gazette G.N.No 282 of 2002. The objective of the regulations is to provide proper administration and management of School Library Resource Centres in the country. Similarly, these regulations define, describe and establish the functions of the School Library Resources Center. For example, sections 4 and 5, of these regulations provide that every School Library Resource Center shall be established and operated in accordance with officially recognised standards. In the same vein, section 8 of the regulations is about staffing, which directed that every school may engage a full-time library staff to man the Resource Center. Section 9 of the regulation is about coordination whereby the Commissioner for education is required to appoint an experienced professional librarian, who shall be the Co-ordinator of the School Library Resource Centers. On the other hand, Section 10 is on Inspection, where the Commissioner is required to appoint by name, an experienced professional librarian who shall perform the functions of an inspector of library resource centres. Section 11 is on the National School Library Resources Centre committee, which inter alia, is required to

harmonise and coordinate the development of School Library Resource Centres and other types of libraries in the country, while section 18 concerns remedies. The Commissioner for education has been granted powers to enforce these regulations. An analysis of the Education (School Library Resource Centres) Regulations, is indicative of the good intention of the Government to promote education in Tanzania. From the face of it, the regulations sound to be nice and promising. However, one may be inclined to point out that it is one thing to have a comprehensive regulation, while the implementation of such a regulation is another. Therefore, regulations are only good when they assist in achieving a set of particular objectives; however, such regulations fail for different reasons. For example, where sound legislation exists on paper but the regulator is weak and ineffective and/or poorly resourced. In this instance, and by virtue of section 9 and 10 of the regulation, respectively, provides for the position of an experienced professional librarian, who shall be the coordinator of the school library resource centres, as well as a position for inspector of library resource centres.

In the same vein, Section 11 of the regulation provides for the establishment of the National School Library Resources Centre Committee. One would wish to know if such a committee exists at the Ministry level or the National level, and whether there is a designated person to oversee the implementation of such regulations. The question to professional librarians and the general public in Tanzania is whether they are aware of the existence of such regulations which are key for educational transformation in the country. In the same line, the Education Act Cap 353 sect 60 (u) G.N No.282 of 2002, gives the Minister responsible for education, powers to prescribe anything, which is necessary or expedient for the better carrying out of the provisions of the Act (URT, 2002). However, there is an omission of such instructions in the parent Education Act. Probably this may have been attributed to the non-implementation of the regulations. Hence, in this context, one would be inclined to argue that the legal framework in force, is a deterrent to the transformation of education in Tanzania. Given the above, amelioration of the Education Act 353 and School Library regulatory machinery is therefore imperative at this stage, in order to improve its degree of compliance. Similarly, an understanding of

the changes in the current regulations would make the legislation more favourable to school libraries. It is suggested that since the Ministry responsible for education is in the process of reviewing the Education Act., one would hope that the process will adopt a participatory approach, where librarians who are among the key stakeholders in the education sector, will be fully involved in this process. In this context, librarians' voices are crucial and they need to be heard. It is argued here that, within the realm of modern methods of teaching and learning at all levels of education, the involvement of libraries is important in supporting the curriculum and promoting lifelong learning. Hence, one cannot talk about Education transformation without the involvement of librarians.

The Education Policy (2014)

In 2014, the Tanzanian government introduced a new Education and Training Policy (URT, 2014) which repealed the 1995 Education and Training Policy. The policy was intended to guide, synchronise and harmonise all structures, as well as to provide proper and efficient mechanisms for the management of the education sector, in consideration of the changes in economic, social, science and technology. Besides, the 2014 Education Policy is expected to comply with the principal Act, viz the Education Act No. 353 of 2002, which is still in force and the corresponding school library resource centres regulation, in which issues of libraries are well articulated. However, a critical examination of the policy document revealed that the policy is silent on issues of libraries; where these issues have been discussed, the policy does not provide sufficient information. Issues of libraries were only mentioned on pages 12, 25 and 43 respectively, where it was noted in passing that there is a shortage of essential school facilities such as libraries, for attaining quality education. For this reason, it is argued here that issues of libraries are not featured prominently in the policy. This is contrary to the 1995 Education and Training Policy, where issues related to school libraries were vividly stated and well-articulated. For example, the 1995 Education Policy provided a section on library services, which stressed that the library is crucial in enabling access to information, knowledge and skills (Haki Elimu, 2021; URT, 1995). The role of the Tanzania Library Services Board (TLS) was also appreciated (HakiElimu, 2021). With such observation, it is most likely

that the 2014 policy formulation committee did not involve librarians. Thus, one may wonder, how could librarians (among the key stakeholders in the educational sector) be excluded from such an important discussion on the development of education in Tanzania. As a way forward, this paper suggests that practising library and information science specialists in the country, through the Tanzania Library Association, should seek an audience with the Minister responsible for Education, to air their views, in line with the ongoing exercise of reviewing the Education policy. It is the view of this paper that the contents of the existing policy to a large extent, neither promote education transformation nor enhance the quality of education, because issues related to libraries and library services are not critically addressed. Hence, in this context, librarians are urged to be proactive, rather than silent observers on matters of professional concern. The next section dwells on Copyright and Neighbouring Rights (Licencing of Reproduction and Rental Rights) Regulations, 2014

Copyright and Neighbouring Rights (Licencing of Reproduction and Rental Rights) Regulations, 2014 (GN. No 234 of 2014)

Copyright has been defined by Jones (1996) as the exclusive statutory right, given to those who create original works, and to exercise control for a specified period over the copying and other exploitation of those works. The purpose of copyright law is to protect the creators of works from unlawful reproduction of their materials and to fund further creativity. Similarly, copyright is also intended to ensure that some access to copyrighted work is allowed; without this access, creators would be starved of ideas and information to create more copyrighted materials (Cornish,2019). In Tanzania, copyright is protected and regulated by the Copyright and Neighbouring Rights Act of 1999. It is acknowledged worldwide that the role of libraries is to support users with their information needs. In the context of Tanzania, libraries and librarians can apply the general right to copy which is also referred to as free use, which envisages the doctrine of fair use (otherwise called fair dealing) and copying by librarians and archivists (otherwise called reproduction rights (Benhaji & Samzugi, 2002). To meet the informational needs of library users in accessing copyrighted works while respecting the law, Section 12(7) of the Copyright Act 1999 allows the reproduction of literary and

artistic works lawfully made available to the public. The common activities allowed under library reproduction rights include copying for replacing published and unpublished materials in permanent collections of libraries or archives or permanent collections of another library or archive. It is worth noting that the application of the statutory rights is limited to public libraries, non-commercial documentation centres, scientific institutions and educational establishments. Licencing is one of the methods under section 17 of the Copyright Act of 1999, which grants permission on application by a library. Under this section, the author may grant in writing a licence to the applicant, to carry out certain specific acts. Such acts should cover the author's economic rights, which include reproduction, translations and importation of copies of the work and other communication to the public of the work. The scope of the licence would only cover all those rights specified in the licencing agreement. Through this arrangement, libraries may be in a position to enable their patrons to access electronic-based resources. From the analysis, it can be argued that the Copyright Act under discussion has tried to establish a balance between the creators' and users' needs to access information and the free flow of information and ideas.

However, this is contrary to Regulation 3 of Licencing of Reproduction and Rental Rights) Regulations, 2014 (GN) (General notes) which prohibits the use of copyrighted works without a licence. As such, this regulation does not recognise the exemption provided under section 12(2) of the Act. Thus, contradicting a fair use doctrine, library reproduction rights and licencing, as provided in the principal legislation No 234 of 2014 which came into force on 11 July 2014. The said Regulations are made under section 45 of the Copyright and Neighbouring Rights Act CAP 217 (R.E. 2002). For example, in 2015, Public universities in Tanzania were served with demands from KOPITAN (acting under a power of attorney requiring Universities to pay royalty fees for the reproduction of works which are protected by Copyright (Copyright Association of Tanzania letters dated 24th April 2015 and 1st April 2019) (Letters, RE: Obligation to pay royalties for reproduction and rental rights). Their letter partly reads: "It is provided for under Regulation 3 that 'No person shall reproduce and/ or hire copyrighted works unless he has a licence issued by the society". Given that your University is a user of copyright-protected works you will need a

licence to continue with the reproduction and rental rights of copyrighted literary works. Under these letters, the universities were served with invoice fees based on the number of students enrolled. For the case of the Open University of Tanzania, it was supposed to pay Tshs 65,913,750 as charges for Reproduction Rights, Tariff UN 43,942,500, Rental Rights, Tariff UN 21,971,250 (The requested sum was almost a quarter of the library budget). The same notes were served to other Universities. As a response, the Library Board at the Open University of Tanzania convened a meeting to discuss the matter and advise the management on the right course of action to be taken. At this meeting, the Library Board resolved that the matter be referred to the Committee for Vice Chancellors and Principals in Tanzania (CVCPT), for discussion and deliberation. A consultative meeting was convened at which KOPITAN were invited to clarify the basis and legitimacy of charging reproduction charges and penalties. The concerns raised at the consultative meeting were as follows:

- a) The procedures leading to the promulgation lacked transparency. Public universities are the major producers of copyrighted materials and the major stakeholders in copyright protection but were not consulted.
- b) It is inconceivable that levies are collected through such suspect arrangements using the power of attorney. As public institutions, universities are exposed to dealing with individuals of doubtful credibility and whose accountability is not transparent. There are very serious shortcomings with the Infringing Regulations that need to be redressed very urgently.
- c) The Infringement Regulations operate on the presumption of guilt without any justification and contrary to the cardinal rules and justice. Tariffs and penalties are imposed based on students' enrollment and require no proof of any violation
- d) The Infringement Regulations seek to impose various responsibilities upon public universities contrary to known norms in law.
- e) The Infringement Regulations are consistent with the principal legislation because the regulations seek to take away the special concession to an academic institution in the reproduction of copyrighted materials as recognised and enforced by section 12 of the Copyright Act.

- f) Based on the Provisions of section 12 of the Copyright Act, it is believed that universities and other academic institutions are exempted from the requirement of obtaining prior consent (licence) and to remunerate the authors as long as their use of copyrighted materials is on a non-commercial basis (Letter to Attorney General, 2015(17.09)).

Based on the above-narrated facts, the following suggestions were proposed to the Honourable Minister for Industries and Trade as follows:

- a. be advised to revoke or amend the regulations to incorporate provisions which exempt education and academic institutions from paying the royalty for reproduction and rental licence of the published materials, or
- b issue any directive that would exempt academic and educational institutions in Tanzania from the Regulations.

Given the discussion provided above, it is clear that the Copyright and Neighbouring Rights (Licencing of Reproduction and Rental Rights) Regulations, 2014 (GN. No 234 of 2014) epitomises draconian regulations on the part of librarians. Similarly, such, regulations are capable of posing a challenge to access to information, and the provision of quality education and stifle efforts towards educational transformation in the country. The results of the efforts to seek government intervention have not been communicated officially to CVPT. However, to date, none of the public universities has received a demand note to pay the royalty fees. Thus, the issue may have been put to an end. Sufficing to say that, educational transformation can only flourish in an environment where users have access to information without any restrictions. It is therefore suggested that, in future, the reform and improvement of the law should adopt a participatory approach which will also include library and librarians, copyright owners, and educational and research institutions which are great producers and consumers of information.

National Library Policy in Tanzania

According to Network for Information and Digital Access (NIDA, 2011), a library policy is a framework for the planned and coordinated development of countries' libraries. In addition, a library policy serves as a plan of action

and statement of ideals adopted by a government (NIDA, 2011). Tanzania, so far, has no officially written National Library Policy, except a set of guidelines documented for each library. The study conducted by NIDA (2011) reported the problem in the library sector in Africa. The emphasis is placed on ICT policies, and as such, there is no mention or role of libraries within the ICT framework. However, efforts are being made through Tanzania Library Services Board, to come up with a national policy. The current efforts towards realising this goal are laudable. The purpose of the National library policy as envisaged is to plan and coordinate the development of libraries in the country and make them part of the educational and research system. Besides, the national library policy is vital in building a knowledge-based society and promoting lifelong learning. About two decades ago, the Tanzania Library Service Board (1985) submitted to the Ministry of Education a National Library Policy proposal. As a result, the Ministry of Education appointed a committee to study and deliberate on the proposed National Library Policy. The team comprised members from the Tanzania Library Services Board, Ministry of Education, University of Dar-es-Salaam, Tanzania Library Association, Tanzania Commission on Science and Technology, National Archives, Tanzania Industrial Research Development Organization, and Moshi Regional Library (Kaungamno & Ilomo, 1989).

In 1986, the committee concluded that the proposed National Library Policy was most appropriate and timely, and a final report was submitted to the Ministry for further action. The report recommended several issues which are still relevant even in today's library working environment. These include: the formation of a library advisory council mandated to monitor and coordinate library and documentation services; public library development to be the responsibility of the Tanzania Library Services Board. Another recommendation was to place rural library development under the responsibility of the Department of Adult Education and Tanzania Library Service. Similarly, the report also expressed the need for strengthening the library coordinator's office in the Ministry of Education by including a school and college libraries inspection section as part of its functions. It can be argued that those plans were revolutionary development as well as focused on removing the information divide within the country as

they were geared towards library development in all parts of the country. Of particular interest is rural library development, where the majority of Tanzanians live. Such plans and vision, if had been implemented, would have helped the attainment of viable transformation of education in Tanzanian society. Probably, the lack of a National library policy could be considered a deterrent to educational transformation because it has made it impossible to achieve the set objectives. Sufficing to say that the absence of a national library policy, is a deterrent to achieving educational transformation in the country because the majority of the population in Tanzania does not have access to libraries, which are a vital part of the national educational system.

Open Educational Resources (OER)

Open Education Resources (OER) refers to learning, teaching and research materials in any format and medium that reside in the public domain or are under the copyright that has been released under an open license, that permits no-cost access, re-use, re-purpose, adaptation and redistribution by others (UNESCO, 2022). They can include textbooks, course readings and any other materials which can be used for education. The Open License refers to a license that respects the intellectual property rights of the copyright owner and provides permissions granting the public the right to access, re-use, repurpose, adapt and redistribute educational materials (UNESCO, 2019). In building inclusive knowledge societies, Open Educational Resources (OER) can support quality education that is equitable, inclusive, open and participatory as well as enhances the academic freedom and professional autonomy of teachers by widening the scope of materials available for teaching and learning (UNESCO, 2021).

As such, Open Educational Resources (OER) play an important role in supporting teaching, learning and community services, in line with Sustainable Development Goal number 4 which aims at 'ensuring inclusive and equitable quality education and promote lifelong learning opportunities for all. OER, if well adopted and utilised by libraries, can make it possible for Tanzania to attain this goal and it could be a good contribution by librarians. It is hoped that librarians are aware of these emerging resources which can be one of the pillars to enable educational transformation in the

country. In developing countries like Tanzania, the increasing cost of commercially produced resources is creating a financial barrier to accessing such resources. They are not only increasingly expensive, but they often lack contextual relevance as they were prepared for a general audience, and are difficult to use effectively with specific groups of students in specific contexts (Keats, 2003, Lwoga, 2012). Therefore, the use of OER materials has more advantages as they remove the barriers to accessing current and relevant materials which have been prepared, developed and reviewed by various experts around the world. In Tanzania, a massive expansion in secondary school enrolment is leading to an increase in the required learning resources. It has become clear that the country could not afford to produce all the materials needed by learners. According to Muganda, Samzugiang and Mallinson (2016), Open Educational Resources have the potential to widen access to education both formal and informal, at all levels. Therefore, librarians in Tanzania have a moral duty and contribution to make, in identifying relevant OER materials, which are compatible with our curriculum. In so doing, librarians will go a long way towards making a positive contribution to educational transformation in Tanzania. Besides, it is pertinent to note that the use of OER hinges on the issue of OER policy, as adopted by UNESCO at its 40th General Conference, in November 2019, (UNESCO, 2019). The recommendations call upon all Member States, where Tanzania is a signatory, to build the capacity of stakeholders to create access, use, adapt and redistribute OER resources, as well as develop supportive policy. This paper recommends that librarians, through their Consortium and Tanzania Library Association, advise the government on the importance of OER resources in teaching and learning. The availability of freely provided OER resources is a positive move towards attaining the development of education transformation in the country. It is, thus, important for the country and librarians to seize the opportunity offered by UNESCO, on the utilization of OER resources, which serves as a boon for the transformation of education in Tanzania.

Legal Deposit Law in Tanzania

Legal deposit is a statutory obligation which requires that any organization, commercial or public, and any individual producing any type of documentation in multiple copies, be obliged to deposit one or more copies

with a recognized national Institution (Lariviere,2000). The purpose of legal deposit revolves around ensuring that copies of all national publications in every kind of media are provided to trusted custodians, legal deposit enables and ensures the comprehensive collection of a nation's documentary heritage (IFLA, 2011). Besides, the legal deposit also supports the preservation, contributing to the long-term survival of a nation's documentary heritage. In Tanzania, legal deposit is guided by the Tanzania Library Services Board Act, 1975 and the Sokoine National Agricultural Library Act No 7 of 1991. Under section 4(3) of the Act, the library shall be both the library of the university as well as a National Library for Agricultural and allied subjects in Tanzania. The Tanzania Library Services Board assumed the activities of its predecessor the Tanganyika Library Services Board. In this Act, unless the context otherwise requires interpretation "book" includes every part or division of a book, pamphlet, newspaper, periodical, magazine, review, gazette, sheet of letterpress, sheet of music, or map. Others include a plan, chart or table separately printed, but do not include any second or subsequent edition of a book, unless such edition contains additions or alterations either in the letterpress or in the maps, prints or other illustrative materials belonging thereto. It also includes any book which will not be made available to the public at large. For the case of any gramophone record, film, or other books, not being printed material, the Board may direct that the person producing the same shall supply the Board with one copy only. This legislation was passed many years ago when print was predominantly used as a means of communication. However, the revolution brought about by Information and Communication Technologies has led to the birth of publications in electronic formats.

As such, electronic information should be treated equally as part of a nation's documentary heritage, and therefore must be included in legal deposit arrangements. Pandley (2019) citing the example of the UK, cautions that there has been a rapid growth in the publication of material in non-print forms in recent years. Unless these forms of publications are covered by the legal deposit legislation, the danger would be that countries might lose an important part of their national heritage. The caution provided by Pandley is also relevant to the environment of Tanzania, where

the Legal deposit Act does not support documents which have been born digitally. To overcome such a challenge, Jensen (2021) advised that the introduction of electronic legal deposit is arguably the greatest transformation which national libraries have undergone in our professional lifetimes. In Tanzania, the system used to deposit printed materials is well elaborated; however, the challenge is in electronic format. Such materials include e-journals, e-books etc. It is suggested that Tanzania Library Services Board and the Sokoine National Agricultural Library which are designated legal depositories in the country, consider establishing a national institutional repository which will cover materials born digitally. Also, as a nation, there is a need to review or amend the legal deposit law to align it with new emerging technologies. This will ensure that all the generated information in the country, regardless of format, is collected and preserved to support teaching, learning and community services which are key to educational transformation. Hence, the lack of integrating locally generated digitally born information in the Legal Deposit law is tantamount to denying the world community easy access to information resources from Tanzania.

Conclusion and Recommendations

Given the above, it is clear that, at some point, there is a mismatch between policies/Acts/regulations and practice. Some policies/Acts/regulations do not provide clear support to library activities. Thus, the paper recommends that the Ministry responsible for education needs to involve librarians, who are important stakeholders in the education sector, in the process of reviewing the Education Act and Education policy. Also, a dedicated and experienced professional librarian needs to be appointed at the Ministry level, to oversee matters of School Library Resource Centres Regulations. It is also recommended that procedures leading to the promulgation of laws and policies should adopt a participatory approach to ensure the inclusion of all key stakeholders, including the librarians. Similarly, regulations need to be amended to incorporate provisions which exempt education and academic institutions from paying the royalty for reproduction and rental licence of the published materials. The librarians need to consider the adoption of Open Educational Resources to meet the informational needs of their patrons. The legal deposit law needs to be amended to incorporate

locally generated digital information resources. It is also recommended that the Tanzania Library Services Board and the Sokoine National Agriculture Library should consider putting in place a National Institutional Repository for depositing materials emanating from within the country, which is increasingly born digitally.

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