

# **LEGAL AND REGULATORY FRAMEWORK FOR ICT IN DEVELOPING COUNTRIES:**

**ICT AND THE LAW OF EVIDENCE IN TANZANIA**

Andrew Mollé

---

# Introduction

*"Information and communication technologies (ICTs) have the potential to profoundly change global trade, finance and production. By making businesses more competitive and economies more productive, and most of all by empowering people with knowledge, ICTs can support faster economic growth and thus strengthen the material basis for development. Our challenge is to ensure that this potential is used to generate real gains in the global struggle against poverty, disease and ignorance – and their offspring, fear, intolerance and war."*

**Kofi A. Annan**  
**Former Secretary-General of the United Nations**  
**New York, 2002**

# Socio-Economic impact of ICT in Developing countries

- Education,
- Commerce,
- Financial matters
- Health,
- Governance, etc
- Hence: Need for clear and comprehensive legal and regulatory framework

# ICT Regulation at international level

- No distinct international ICT body of laws
- WIPO RULES, digital technology and the Internet for copyright and related rights.
- UNCITRAL LAWS.eg. Law on Electronic Commerce 1996, UN Convention on the Use of Electronic Communications in International Contracts, 2007
- ITU,WTO, UNDP etc.
- Current developments: UN General Assembly Resolution 2002.

# LEGAL FRAMEWORK FOR ICT IN TANZANIA

- Development of ICT in Tanzania
- Common law legal system
- Foreign Investments.
- Tanzania ICT National Policy
- ICT Legal and Regulatory Framework
- No single comprehensive law on ICT

# IMPACT OF ICT ON NATIONAL LAWS:

- THE LAW OF EVIDENCE IN TANZANIA
- Tanzania Evidence Act, 1967
- Impact on Documentary Evidence
- Electronic Signatures
- Impact of on Rules of Authentication

# Conclusion

- Importance of ICT in all sectors of national development in developing countries.
- If we are to harness the potential of ICT4D, a conducive legal and regulatory framework must be put in place both at the international level and national level.
- Amendment of various international and national laws to accommodate ICT transactions.
- Develop new and comprehensive legal instruments at national and international level specifically to regulate ICT application.



*Thank You*