The Bankers’ duty of confidentiality and the problem of terrorism in Tanzania
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This study consists of four chapters describing whether there is contradiction between the financial laws and the prevention of terrorism laws in respect of protection of the principle of the banker’s duty of confidentiality in Tanzania. In the process of data collection two methods has been employed. The primary method was used where by police officers and bank Officers were interviewed. Further the secondary method was adopted, various literatures on banks and terrorism has been ready in the libraries of University of Dar es Salaam, High Court, Dar es Salaam and that of Institute of Judicial Administration Lushoto. The findings from the research show that there is no contradiction between the financial laws and the prevention of terrorism laws in respect of protection of the principle of the banker’s duty of confidentiality in Tanzania. This is due to the fact that, the banking laws through the exception of compulsion of law allows banks and financial institution to disclose the customer’s account. Hence, when banks disclose the customers account to the Anti-Terrorists’ police comply with requirement of the banking laws and the Anti-terrorism laws. Therefore, the research recommends establishment of bureau which will be responsible for investigation on terrorists’ funds operation. The bureau will be responsible to request the customers’ information from the bank after has investigated and found that the fund intends to be used for terrorist activities. Hence the principle of the bankers’ duty of confidentiality will be well protected.