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THE PORTS ACT,  
(CAP. 166)

REGULATIONS

*(Made under section 44)*

THE PORTS REGULATIONS, 2024

ARRANGEMENT OF REGULATIONS

*Regulations title*

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THE PORTS ACT,  
(CAP. 166)

REGULATIONS

(Made under section 44)

THE PORTS REGULATIONS, 2024

PART I  
PRELIMINARY PROVISIONS

- Citation 1. These Regulations may be cited as the Ports Regulations, 2024.
- Application 2. These Regulations shall apply to-
- (a) sea ports specified under the Second Schedule to the Act;
  - (b) dry ports.
- Interpretation 3. In these Regulations, unless the context requires otherwise-
- “Passenger” shall have the meaning ascribed to it under the Act;
  - “dangerous goods” means goods classified in the International Maritime Dangerous Goods Code or any other publication by International Maritime Organisation;
  - “dry port” means an Inland common user facility which is directly linked to maritime port by a railway or road having appropriate infrastructure, equipment and storage facilities operating as a centre for trans-shipment of sea bound cargo and containers to and from inland destinations and includes inland clearance depot and empty container depot.
  - “certificate of competency” means a certificate issued by the Authority or other relevant authorities as the case may be;
  - “small craft” means a Tug, launch boat, barge, lighter, rowing boat, sailing boat or similar craft not included

- in the definition of a traditional vessel;
- “port area” means the area within the limits of any port as defined by an order made under the Act;
- “compulsory pilotage area” means the navigable waters enclosed within the ports limit;
- “hatch” means an opening in a deck used for purposes of loading or discharging of cargoes in the Vessel;
- “fireworks” includes all signalling or life-saving;
- “warehouse” includes a building, place, yard, shed and any place where cargoes may be stored;
- “dhow” includes traditional vessels, schooners, whether fitted with auxiliary engines or otherwise and self-propelled vessels of not more than 125 net registered tons or of 38.5m (125feet) overall length, whichever is greater;
- “ISO container ” means a large standardised container designed and built for inter modal freight transport;
- “terminal” means facility designated for handling of cargos which are loaded or discharged and includes passengers, bulk, roro, container terminals and any other terminal designed for that purpose;
- “container terminal” means a facility designated for the handling of cargo containers which are loaded on or discharged from vessels specially designed or converted for that purpose;
- “Authority” means the Tanzania Ports Authority established under the Act;
- “ports limits” means the area within limits of any Port as may be defined by an Order made under the Act;
- “port baggage attendant” means a person who attends on a passenger for the purpose of assisting in connection with baggage formalities of the Port or who in any way controls any motor boat or row boat for the purpose of transporting passengers baggage to or from a ship lying at anchor in the stream;
- “tanker” means a ship having or loading or having on board or about to take on board, any bulk liquid;
- “Master” shall have the meaning ascribed to it under the Act;
- “pilot” shall have the meaning ascribed to it under the Act;
- “Act” means the Ports Act;
- “charges” means all sums received or charged in respect of any ship or port or the handling or warehousing of

goods by the Authority or in respect of any other service performed or facilities provided by the Authority;

“compulsory pilotage” means vessels that require pilotage while plying within the ports limit;

“tariff” means the port tariffs and Charges as prescribed in the Tariff Book;

“explosives” means all commodities as stated under the International Maritime Dangerous Goods Code Class 1; and

“fairway” means the whole of the navigable channel or channels of any Port.

## PART II VESSEL'S REPORTS

Notice  
vessel's  
arrival

of 4.-(1) The owner, master or agent of a vessel intending to call at a port shall lodge a notice of arrival with the Authority not less than twenty-four hours before arrival of the vessel.

(2) The notice shall contain the following particulars-

(a) the expected date and time of arrival of the vessel;

(b) particulars of the vessel;

(c) purpose of the call;

(d) particulars of the agent representing the vessel;

(e) last port of call;

(f) nature and quantity of cargo to be loaded or discharged;

(g) details of safety certificates and their period of validity; and

(h) any matter affect the safe passage into port and berthing of the vessel in particular or any defect on hull, machinery or equipment which may-

(i) affect the safe manoeuvrability of the vessel or the safety of other vessels; or

(ii) constitute a hazard to the environment, to persons or property.

(3) Where a vessel that intends to call at a port is tanker, the owner, master or agent of the vessel shall, in addition to particulars prescribed under subregulation (1), ensure that the notice contains particulars on-

- (a) the nature of the cargo, its correct technical name, UN number and flashpoint, if applicable, and quantity;
- (b) the distribution of cargo on board, indicating cargo to be discharged and loaded;
- (c) whether the tanker is fitted with an inert gas system and it is fully operational, and whether she will be inert or gas free on arrival;
- (d) drip pans placed beneath all pipeline manifold hose connections; and
- (e) the distance of the manifold from the bow or the stern.

(4) The Harbour Master for the purpose of ensuring safe, orderly, efficient and effective port working may grant, withdraw or vary permission previously granted for any vessel to approach or enter the port.

(5) The owner or master of the vessel shall be responsible for damages or consequences resulting from any erroneous declaration made by himself or his representatives as to the draught.

Determination of vessel's tonnage

5. Master of the vessel when required shall lodge or produce to the Authority a certificate of ship registration for the purpose of determining the ship tonnage.

Nautical charts

6. A Master of the vessel before entering or proceeding within a port shall ensure that, he has on board the latest edition of the nautical charts and publication relating to that port.

Communication with port controller

7.-(1) A master of the vessel shall communicate with Port Control or Vessel Traffic System station where applicable on her arrival at Very High Frequency range on channel 12 or 16;

(2) A Vessel entering the port shall comply with all directives issued by the Port controller or Vessel Traffic System station on channel 12.

Signals on entering

8. A vessel before entering a port shall display-  
(a) its national flag, which shall fly from 6 a.m. to 6 p.m;

- (b) the ship's signal letters;
- (c) the "Q" flag which shall not be lowered until the Port Health Officer has given free pratique;
- (d) , the "I" Flag when carrying passengers and shall not be lowered until notified by an immigration officer;
- (e) the "N" Flag which shall be hoisted if livestock are to be landed therefrom;
- (f) , the "B" flag when carrying dangerous goods and shall be hoisted by day and a red light by night;
- (g) the Tanzanian National flag which shall fly from 6 a.m. to 6 p.m;
- (h) the "H" flag when the pilot is on board, and shall be hoisted by day and by night two lights white on top of red; and
- (i) any other signal as may be directed by the port controlar.

PART III  
PILOTAGE

Vessel speed  
when  
embarking  
Pilot

9. A vessel shall proceed with a safe speed as directed by the pilot or port control when embarking pilot, and make a good lee for the operations.

Compulsory  
pilotage

10.-(1) The master of a vessel, other than an exempted vessel, shall not cause or permit the vessel to enter, leave or be moored in any compulsory pilotage area without having on board a pilot appointed by the Authority.

(2) Where a vessel, other than exempted vessel, is in the circumstances in which pilotage is compulsory and is not under pilotage, the master of the vessel commit an offence.

(3) When two or more vessels are approaching the compulsory pilotage limits, the pilot boat shall indicate the number of pilots she has on board by Aldis lamp or Very High Frequency radio.

(4) Subject to subregulation (3), signs indicated by pilot boat shall be taken as an additional warning that a vessel for which a pilot is not available is to remain outside the port's limits.

(5) The Authority may designate other areas within

the port limits to be a compulsory pilotage area.

Exemption  
from  
compulsory  
Pilotage

11.-(1) The Authority may, upon application by the master of vessel, exempt any vessel or class of vessel from the compulsory pilotage.

(2) Where a vessel is exempted from compulsory pilotage, the Authority shall issue a certificate of exemption to the master of the vessel. upon payment of prescribed fee.

(3) The certificate of exemption shall remain in force for a period of twelve months from the date of issue. unless suspended or revoked, or the master of the vessel relinquishes command of the vessel.

(4) Notwithstanding subregulation (1), a vessel may be exempted from compulsory pilotage on a signal or special occasion, without issuing a certificate of exemption.

(5) A vessel which is exempted from compulsory pilotage shall display international signals when entering or leaving the port.

(6) Notwithstanding the provisions of subregulation (1), a certificate shall be issued to the master upon submission of valid certificate of competency and showing the ability of safe manoeuvring through entrance channel.

(7) The master of the vessel to whom a certificate of exemption has been issued shall, return the certificate to the Authority upon expiration, revocation or cancellation

Pilotage at  
Ports

12.-(1) A vessel, other than an exempted vessel, traditional vessel or small craft, arriving at Port shall-

(a) await the arrival of the pilot launch at the outer anchorage; and

(b) if necessary, anchor clearly at the leading marks.

(2) Pilotage Instructions shall be communicated by Very High Frequency radio, signal from the Control station, Vessel Traffic System or any other appropriate means of communication.

Pilot ladder

13. Master of a vessel shall ensure that, a pilot ladder comply with the following requirements:

(a) is kept clean and in good order and is used only by officials and other authorised persons while a ship is arriving or leaving a port, and for the

- embarkation and disembarkation of pilots;
- (b) is secured in a position that each step rests firmly against the ship's side and so that the person using it can gain safe and convenient access to the ship after climbing not less than 1.5 metres (or 5 feet) and not more than 9 metres (or 30 feet);
- (c) a single length of pilot of access to the ship and due allowance is be made for all conditions of loading and trim of the ship;
- (d) in case of excessive freeboard which is greater than 9 meters, a combination ladder is rigged;
- (e) is certified in accordance with SOLAS Chapter V regulation 23.

Pilot to be  
duly  
appointed

14.-(1) A person other than a duly appointed pilot or an emergency pilot appointed by the Authority under regulation 15 shall not offer services as a pilot.

(2) Appointment of pilot shall be as prescribed in the port operation manual.

Emergency  
pilot

15. The Authority may authorise a person other than duly appointed pilot to pilot ships in case of shortage of staff as a temporary and emergency measure.

Functions of  
pilot

16. Subject to the directives of the Authority, the functions of the pilot shall include-

- (a) navigating a vessel in the port by directing its movements and to determine and control the movements of the tugs assisting the vessel under pilotage; and
- (b) determining the number of tugs required for pilotage with the concurrence of the master of the vessel:

Provided that, in the event of a disagreement between the pilot and the master of the vessel regarding the number of tugs to be used, the Harbour Master shall make the final decision.

Qualifications  
of pilot

17.-(1) A person other than a pilot already appointed prior to the coming into operation of these Regulations, shall not be appointed as a pilot unless he fulfills the following

conditions:

- (a) he is a person of not less than twenty-five years and of not more than forty five years of age;
- (b) he is a person having certificates as to his ability and fitness for such an appointment, including a medical certificate that he is in good health and not afflicted with any bodily infirmity rendering him unfit for the duties of a pilot;
- (c) he satisfies the Authority as to his knowledge of seamanship;
- (d) he holds at least a Deck Officer Class 2 certificate of competency; and
- (e) he holds at least Deck Officer Class 3 certificate of competency:

provided that, holders of Class 3 Certificate shall not pilot vessels of more than 7000 Gross Registered Tonnage.

(2) Notwithstanding subregulation (1) (c), deck officer Class 3 with certificate of competency may be appointed as pilot upon certification by the competent pilotage Authority.

Pilot flag and attire

18.-(1) A person, other than a pilot afloat on duty shall not hoist a pilot flag, upper half white, lower half red.

(2) The Authority shall ensure that pilots are provided with attire in accordance with their ranks.

Exempted ship not to occupy unassigned berth

19. An exempted ship not having taken a berth assigned to her by the Authority, and which is observed to be foul of or likely to foul any mark, buoy, mooring buoy, or other vessels due to having made a slack mooring or other cause, may be moved or moored under the directives of the Harbour Master.

Removal of a vessel anchored in inner harbour areas and fairways

20.-(1) The Authority may remove a ship, traditional vessel or small craft at the expenses of the owner or master., where a ship, traditional vessel or small craft anchored in any inner harbour area or fairway of a harbour without the approval of the Harbour Master.

(2) Without prejudice to the provisions of subregulation (1), where the vessel is removed under the control of a pilot, full pilotage shall be charged and, if the use

of tugs is considered necessary by the Authority, the towage charges shall apply.

Vessel's mooring

21. For the purpose of ensuring safety of a vessel, master of a vessel shall ensure that-

- (a) a vessel within a port at all times have sufficient hands on board to attend the moorings, gangways and shore connections so as to ensure the safety of the vessel;
- (b) a mooring rope shall not be made fast except to dolphins, buoys, posts, and bollards placed for the purpose, and a wire rope shall not be used unless the bollards and the edge of the coping of the wharf of jetty are protected from chafing to the satisfaction of the Harbour Master;
- (c) a chain cable shall not be used for mooring, except with the permission of the Harbour Master;
- (d) a ship shall anchor, moor and berth to the satisfactions of the Harbour Master and shall take such additional precautions in severe weather as may be ordered; and
- (e) a ship mooring alongside quay shall affix sufficient rat guards on every line and wire connected to or reaching the shore;

Provided that, in the event of insufficient hands-on board the Authority shall provide for other crew at the cost of the ship owner or master of the vessel which shall be charged as per the Authority's Tariff Book.

Watch to be kept aboard

22.-(1) A Master of the Vessel shall watch on open deck by day and night while a ship is in the port.

(2) Notwithstanding subregulation (1), master of the vessel, in the case of emergency and with express permission of the Authority may employ other person for watching purposes.

Port health officer

23.-(1) A vessel entering port shall await the arrival of the port health officer before having any contact with the shore or any other ship or boat except the pilot or the boat of a Customs officer.

(2) The Authority shall ensure that the port health

officer is provided with information about the arrival of a vessel.

Immigration formalities

24.-(1) A port health officer may give free pratique to a vessel for the immigration officer to commence the clearance formalities.

(2) A person shall not leave the vessel prior to the completion of clearance formalities except with the permission of an immigration officer.

Customs formalities

25. A person shall not leave the port area before completion of customs formalities without the express permission in writing granted by a Customs Officer.

#### PART IV WORKING OF VESSELS

Cargo manifest

26.-(1) An agent of a vessel shall lodge the cargo manifest to the available system at least seven days prior to arrival or commencement of working of the vessel in a port.

(2) Manifest referred to in subregulation (1) shall include-

- (a) vessel's details, voyage number, and estimated arrival and departure dates;
- (b) vessel's country of origin and destination;
- (c) port of loading, discharge, and trans-shipment; and

(3) For containerised, breakbulk and bulk, in addition to particulars referred in subregulation (2), the manifest shall include-

- (i) consignee and consignor name, addresses and contact details;
- (ii) cargo agent name, addresses and contact details;
- (iii) bill of lading or mates' receipt;
- (iv) marks and numbers of a cargo;
- (v) number and description of packages or goods;
- (vi) description of the cargo carried by a vessel; and

(vii) gross tonnage of a vessel.

(4) A vessel shall not start discharging cargo until the complete cargo manifest has been lodged to the Authority.

(5) An agent shall notify the relevant authority and pay prescribed fees where there are any subsequent amendments to the manifest.

List of heavy lifts

27. An Agent of a vessel shall lodge to the available system at the time of delivery of the manifest a list of heavy lifts over five tons comprised in her cargo to be discharged at the port.

Berthing of vessels

28.-(1) A vessel shall be planned for berthing in the order of her arrival or subject to the discretion of the Authority.

(2) The Authority shall not guarantee to work on any vessel at an anchorage, except where the weather and other conditions are suitable.

(3) The Authority may refuse to permit cargo to be landed from any vessel until suitable wharf, shed, quay or other accommodation is available for such cargo.

(4) The Authority may refuse to permit any cargo to be landed unless the conditions regarding bundling, marking or both such bundling and marking are complied with.

(5) The Authority shall not be responsible for loss, damage, delay or mis delivery occasioned by non-compliance with the conditions stated under this regulation.

Prevention of cargo and vessel's gear from falling into port

29.-(1) The master of a vessel that is loading or discharging cargo shall ensure that, all measures are taken to prevent cargo or the vessel's gear from falling.

(2) The Authority shall not be liable when measures have not been put in place to prevent cargo or the vessel's gear from falling.

Reporting on cargo and vessel's gear that has fallen into port

30. A master shall report to the Authority within the working shift about any cargo or vessel's gear that is dropped overboard and shall provide any other particulars that the Authority may require.

Recovery of

31.-(1) A master shall cause the cargo or vessel's gear

cargo or vessel's gear that has fallen overboard

that has fallen overboard to be recovered before ship's departure and shall abide by the Authority's directives regarding the recovery.

(2) Where the master fails to recover the cargo or vessel's gear that has fallen overboard, the Authority may recover it, and the owner or master shall be liable for the costs associated with the recovery of the cargo or vessel's gear that has fallen overboard.

(3) A terminal operator or a port service provider shall ensure that a cargo, cargo handling, packing materials or oil-spills that have fallen on the quayside or terminal of any part of the port are removed, failure of which the Authority shall arrange for its removal at the expense of the responsible person.

Master to prepare vessel for cargo operation

32. A master shall prepare the vessel for cargo operations to the satisfaction of the Authority or other designated terminal operator.

Master to superintend loading or discharge

33.-(1) A master or other responsible person appointed by him shall remain on board whilst loading or discharging cargo for the purpose of superintending such loading or discharge.

(2) A master of vessel shall be liable for any damage occasioned by stevedoring during vessel operations.

Vessels to be worked with reasonable dispatch

34.-(1) Where a vessel fails to load or discharge her cargo with a dispatch as appears reasonable to the Authority, the vessel shall lose her turn to load or discharge her cargo and may be removed by the Authority at the risk and expense of the vessel's owner.

(2) Where the plant or labour for the special purpose of landing, shipping or transshipping a cargo is not fully employed owing to the default of the vessel, the expenses incurred thereby shall be paid by the vessel's owner.

(3) The Authority shall require a vessel to suspend discharge or reduce the rate of discharge of cargo. in the event of accumulation of goods upon the wharf, jetty or quay, or in a lighter, or for any cause that may appear reasonable.

Receipts for cargo delivery

35. The Authority shall grant receipts to the master or

the agent of the vessel for cargo received and each item being properly marked and discharged in an orderly manner, unless otherwise specifically agreed upon between the Authority and the master or the agent of the vessel:

Provided that, where the cargo is discharged by the Authority in a manner as to preclude an accurate tally at the time of discharge, the receipt shall be granted after sorting and stacking the cargo ashore and only then shall delivery of cargo in each case be considered to have been made to the Authority.

Delivery of cargo to the Authority

36.-(1) Delivery of cargo shall not be considered to have been made to the Authority until the cargo has been safely landed on the quay or into lighter and removed from the cargo handling gear used in landing the said cargo.

(2) For a RoRo Vessel, goods shall be deemed to have been landed and delivered to the Authority when the cargo or goods including ISO containers are cleared from the ramp.

When goods considered shipped

37.-(1) Goods for shipment shall be deemed to have been properly delivered by the Authority to the ship in good order and condition when placed into the cargo handling gear at the ship's side whether on the quay or in lighter., unless mutually agreed upon to the contrary, or such goods are declined by the ship and damage or in bad condition.

(2) Goods including ISO containers when shipped over a vessel's ramp are deemed to have been shipped and delivered when the leading wheels of the vehicle contact the ramp.

Crane, terminal tractor, etc.

38.-(1) Master of a vessel desiring to discharge or ship goods at quay, wharf, or jetty where crane, terminal tractor or other mechanically-operated appliances are provided by the Authority, where he is required by the Authority, shall use the appliance at the rates prescribed in the Tariff, and the following condition shall apply:

(a) the charge shall commence from the time stated in the requisition, handed in by the master or agent of the vessel to the Authority, or, if the crane, terminal tractor or other appliance is not ready,

- from the time as it is ready or available;
- (b) a person obtaining the use of a crane shall not reeve the wire rope or chain under the coamings of the hatchers and no cargo shall be dragged from under or across decks by the wire ropes of a crane;
  - (c) the Authority shall not be liable for any loss, damage, or accident which may occur in the working of the crane, terminal tractor or other appliances;
  - (d) a person obtaining the use of crane or terminal operator shall conform with any reasonable order or condition in regard to the working or stoppage or work of the crane and terminal tractor which may be given or imposed by the Authority.
  - (e) Costs for the use of crane, terminal tractor or other mechanical appliances in the transit sheds or the stacking grounds shall be paid for by a person requiring the use of same at the Authority's Tariff rates; and
  - (f) when the Authority supply a crane fixed or floating for the purpose of lifting heavy weights, being 5 tons or more per piece or package, no liability caused to or by any pieces or packages so lifted shall be borne by the Authority.
- (2) Notwithstanding the provision of subregulation (1)(c), where the crane, terminal tractor or other appliances are worked by the servant of the Authority, a person obtaining the use of crane, terminal tractor, or other appliances shall be liable for any damage done to the crane, terminal tractor or other appliances or to the gear in connection therewith, or to any property, whatever, while the same are being used by a person, reasonable wear and tear only excepted.

Stationed  
handling  
equipment

39. A vessel berthed near or under the stationed handling equipment shall have sufficient crew on board ready to shift the vessel at any hour, day or night, as or when directed by the Harbour Master.

Offences relating to use of crane, etc

40. A person who uses a crane, terminal tractor or other appliances for purposes other than port operational activities commits an offence and upon conviction shall be liable to a fine of not exceeding two hundred USD or its equivalent in Tanzania Shillings or to imprison not exceeding twelve months or to both.

PART V  
HANDLING OF GOODS

Shed, berth and yard

41. A person shall not access the shed, berth and yard within the port premise in connection with the delivery, loading and unloading unless he is authorised by the Authority.

Storage of goods

42.-(1) The Authority shall designate a place for storage of goods.  
(2) In case of cargo spillage, the Authority shall re-pack the cargos and the customer shall bear the cost for re-packaging as stipulated in the Tariff Book.

Goods not to be delivered without approval

43. The Authority shall not deliver goods to a consignee without approval from Customs.

Documents required before delivery of cargo

44.-(1) A consignee or agent shall before the delivery of goods submit to the Authority the following documents:  
(a) delivery order, complete in every detail and specifying the respective marks and numbers on packages, or articles in respect of unpacked goods, their number, description and contents with the deadweight, cubic measurement, name of the vessel, the arrival date and disposal instructions;  
(b) bill of lading and shipping company delivery order, duly released by vessel's agents; and  
(c) custom release order.  
(2) The provisions of subregulation (1) shall not apply to cargo charges which are assessed on a defined basis set out in the Tariff Book, in which cases, either deadweight or cubic measurement, according to the unit specified in the said Tariff

Book, or bill of lading tonnage shall be specified.

goods provisionally entered

45. Goods for customs examination under a provisional entry shall not be deemed to be cleared until a perfect entry has been duly made.

Documents required for export of goods

46.-(1) A person desiring goods to be shipped shall lodge shipping order to the Authority through available system, and in case of different consignment there shall be a separate shipping order for each consignment.

(2) The Authority shall not load goods export warehouses into trucks for shipment except upon receipt of the shipping order relating to such goods

Tendering or depositing of goods for export

47.-(1) A person shall not deposit or tender any goods for export in any port without directions from the Authority.

(2) The owner of any goods tendered or deposited in contravention of subregulation (1) commit an offence and on conviction shall be liable to a fine of ten USD or its equivalent in Tanzania shillings per day per harbour tonne or two hundred USD per twenty-foot equivalent unit (TEU) per day until the goods are removed,

(3) Without prejudice to subregulation (2), the Authority may remove the goods at the costs of owner.

Time to deliver Goods for export

48.-(1) Goods intended for shipping by any particular vessel together with the relevant shipping orders shall be presented at the appointed place at the port not later than twelve working hours before the call of the vessel.

(2) Where goods or shipping orders are received late, the exporter shall be liable for any additional expenses incurred.

(3) Goods in respect of which shipping orders are presented shall be ready for shipping in every respect by the shipper or any other person responsible as the case may be.

(4) Goods shall not be resorted or manipulated in port area unless it is authorised by the Authority.

(5) Goods which are not fit for shipping shall be removed from the port area within forty eight hours from time of discovery of such fact.

(6) Goods to be exported shall not be received by the

Authority, except for warehousing and upon payment of charges prescribed in the Tariff Book.

Cancellation or amendment of shipping orders

49.-(1) An order from a person in lawful control of goods, cancelling or amending previous orders may be accepted by the Authority after it has been lodged on the available systems twelve hours before sailing time.

(2) A charge shall be made in respect of each order cancelling or amending a previous order, and such charge shall be paid before such order is delivered to the Authority.

Liability for delay of shipment of goods

50. The Authority shall not be liable for any delay in shipment or non-shipment of goods due to the failure of shippers or their agents to comply with the regulations applicable to the shipment of such goods at any port.

Weight measurement

51.-(1) Where the weight or cubic measurement of goods is not available, the goods shall be weighed or measured by the Authority and the charges thereof shall be paid by the person who presents the delivery order or the shipping order in respect of the goods.

(2) A package weighing 1,000 kgs or more shall have the actual weight thereof legibly painted on the outside of the package in close proximity to the vessel mark.

(3) Where the package is not labelled, it shall be weighed by the Authority and the expenses of weighing, extra handling, transport from the weighing scale shall be charged and recovered from the consignee.

(4) The Authority shall not be liable for any error in any weight made under the provisions of this regulation.

Marking of packages

52.-(1) When goods are insufficiently or erroneously marked, notwithstanding that the dues and charges have been deposited or paid, the Authority shall require a person claiming the goods, a special release order signed by the vessel's agent, or an indemnification against any loss or damage which the Authority shall sustain by reason of the delivery to the person.

(2) The ordinary rent shall be charged against the goods remaining on the port premises in consequence of insufficient or erroneous marking.

(3) The Authority shall not be liable for any damage, loss, delay, or non-delivery of goods occasioned by insufficient or erroneous marking.

Delivery to customs

53. The delivery of goods to the customs shall constitute delivery of the goods to the consignee and the Authority shall not be liable in respect of goods after they have been delivered.

Defective packages

54.-(1) Where goods have been landed in packages of a defective or leaky character, notwithstanding the provisions of regulation 56 or the fact that the Authority has given a receipt for the goods, delivery of the goods shall not be considered to have been made to the Authority until the packages have been repacked, rebadged, or repaired in a reasonably sound condition and the goods have been checked in the presence of the vessel's agent, and the Authority shall be deemed to have accepted delivery of the goods as are found upon the check

(2) Notwithstanding the provisions of subregulation (1), the Authority may decline to accept goods which are tendered for landing in packages or a defective or leaky character until such landing in packages have been properly repaired or the goods rebadged or the packages have been properly repaired to the satisfaction of the Authority.

Unpacking of goods

55.-(1) Goods shall not be unpacked within a port without special permission and monitoring of the Authority and the straw or other material from which goods may have been unpacked shall be immediately swept up and removed by the owner or agent of such goods.

(2) The goods may be removed by the Authority at the expenses of the owner or agent.

Acid and similar substance landed in leaky condition

56.-(1) When acid, grease, oil, tar, pitch, paint or other similar substance come into the possession of the Authority in a leaky condition, the Authority may-

(a) repair the leaky or defective package and in case of spillage caused as a result of such leaky or defective package, the same shall be cleaned up and the damage caused shall be made good at the

expense of the owner, and

- (b) refill package from which the original contents have leaked with like substance from other leaky, spilled or damaged package forming part of the same consignment at the expense of the owner.

(2) When the package is repaired or refilled, the consignee or owner shall have no claim against the Authority for any loss or damage in respect of the manipulation, repair or refiling of such package,

Provided that, the owner may at the time of handing in his orders notify the Authority that, he wishes the articles to be set aside, and in that case they may be removed to a depositing ground or placed in a warehouse at his risk and expense.

Charges to be prepaid or secured

57. Dues and charges payable to the Authority upon all goods landed, transferred or warehoused shall be paid, or sufficient security furnished for their payment before orders for delivery or forwarding are acted upon, and the Authority shall prevent the removal of any goods from its premises whilst any dues or charges payable by the consignee remain unpaid.

#### PART VI HANDLING OF DANGEROUS GOODS

Notice of dangerous goods on board

58.-(1) The master or agent of a vessel, having on board any goods of a dangerous nature as described in the International Maritime Dangerous Goods Code shall give notice to the Authority within forty-eight hours before arrival, and the cargo shall not be landed before the material safety data sheet is lodged to the Authority.

- (2) The material safety data sheet shall contain-
  - (a) the correct technical name;
  - (b) mass;
  - (c) the UN number if any;
  - (d) International Maritime Dangerous Goods Code class of each consignment;
  - (e) handling, safety and health precautions;
  - (f) risk associated with the cargo;
  - (g) emergency procedures; and

(h) type of packaging.

Loading and stowage of dangerous or inflammable goods

59.-(1) Goods of a dangerous nature referred under International Maritime Dangerous Goods Code of the International Maritime Organisation shall not be loaded into a vessel without prior permission from the Authority

(2) The Authority before granting permission under sub regulation (1), shall, ensure that, the loading and stowage is carried out in accordance with safety requirements prescribed out by the Authority or by any relevant law.

Authority's instructions on dangerous goods

60. The Authority in the interests of safety, security, good order and the protection of the environment and at the expense of the owner or master of the vessel may-

- (a) approve the discharge and storage of dangerous goods at demarcated areas in the port in accordance with handling and storage of dangerous cargo procedures prescribed by the Authority or any relevant law;
- (b) order such dangerous goods be discharged from a vessel, removed from the port or be otherwise disposed of;
- (c) order those dangerous goods be retained or returned on board the vessel from which it was landed, be destroyed, or be dealt with in a manner that the Authority considers necessary and appropriate at the risk and expense of the owner or master of the vessel from which they were discharged;
- (d) order that vessels having dangerous goods on board that are berthed alongside a wharf or jetty have sufficient fire protection personnel and equipment in attendance; and
- (e) order that the master with dangerous goods on board adopt precautionary measures, as the Authority considers appropriate;
- (f) discharge the cargos specified in the cargo manifest:

Provided that, the Authority may discharge any excess cargo upon obtaining customs approval.

Berthing and discharging of vessel carrying explosives

61.-(1) A vessel carrying or about to carry explosives shall be anchored or berthed in the position assigned to her by the Authority and shall not be moved there from without the written permission of the Authority.

(2) A vessel with explosives on board for discharge at a port, at the discretion of the Authority, may be brought alongside a wharf specified by the Authority and be discharged expeditiously.

Bunkering of vessel carrying explosives

62. A vessel with explosives on board in approved magazines well forward and requiring bunkers, at the discretion of the Authority, may be brought alongside a wharf specified by the Authority and the bunkering shall be carried out expeditiously

Notice of loading and unloading explosives

63. Before any explosives are transhipped from any vessel or are landed into or unloaded from any vessel, notice shall be given to the Authority informing it of the nature and quantity of the explosives.

Miscellaneous provisions relating to handling of explosive

64.-(1) Explosives shall not be-

- (a) landed, shipped or transhipped except under the direction and superintendence of the Authority
- (b) loaded from, brought into or deposited in the port area other than an area designated by the Authority.
- (c) placed on port area until the vessel is at the place in readiness to receive the same.

(2) Expenses incurred in superintendence, the provision of watchmen or other facility in connection with the handling and discharge of explosives, except where otherwise provided in these Regulations, shall be borne by the consignee, consignor, or agent, as the case may be.

(3) Except with the permission of the Authority and subject to the conditions as the Authority may impose, explosives shall be loaded or unloaded or handled during authorised hours.

(4) The quantity of explosives to be conveyed to and allowed on a landing place at one time and shall be regulated by the Authority and the regulated quantity shall not be exceeded.

(5) Explosives conveyed in or loaded into or unloaded from any vehicle on any lines of railway within a port area shall be conveyed, loaded and unloaded in accordance with these Regulations

Inspection and examination

65. A person in control of explosive or a vessel or vehicle containing explosives, when required by the Authority, shall show explosives under his control or upon his vessel and shall afford every reasonable facility to enable inspection and examination of the explosive and to ascertain whether these Regulations have been duly observed.

Handling of petroleum and other inflammable liquids

66. In the case of petroleum and all other inflammable liquids, these Regulations shall apply in addition to and not in derogation of any relevant legislation in force

Handling of carbide of calcium

67. In addition to other requirements under these Regulations, the following provisions shall apply to the handling of carbide of calcium:

- (a) the vessel owner or master shall ensure that the hold of which contains carbide of calcium are kept efficiently ventilated;
- (b) All carbide of calcium landed from a vessel shall be removed without unnecessary delay to licensed place of storage or beyond the limits of a port area;
- (c) carbide of calcium shall not be brought into or landed within a port area unless it is packed in hermetically closed metal vessels of such strength and construction or so protected as not to be liable to breakage or to become defective or insecure;
- (d) container containing carbide of calcium shall not be opened within the limits of a port area except in a licensed place of storage or with the written approval of the relevant authorities in such place as may be directed;
- (e) reasonable precaution shall be taken by the owner and master of a vessel carrying carbide of calcium and a person engaged thereon and also by the owner of such carbide of calcium and a person engaged in the landing or loading thereof to

- prevent explosive; and
- (f) the owner or master of a vessel carrying carbide of calcium, and a person in charge of carbide of calcium shall, when so required by the Authority show all carbide of calcium onboard the vessel or under his control respectively and shall afford every reasonable facility to enable the relevant authority to inspect and examine such vessel or such carbide of calcium respectively so as to ascertain whether these Regulations are being duly observed

Compliance with other legislations and industry guidelines

68.-(1) A person dealing with dangerous and flammable liquids shall comply with the applicable legislation and international conventions relating to dangerous and flammable liquids in bulk or in containers.

(2) A person involved in the handling of dangerous goods shall comply with the standards, procedures, practices and requirements set out in the Maritime Industry Guidelines, including-

- (a) The International Safety Guide for Oil Tankers and Terminals;
- (b) Marine Terminals Baseline Criteria and Assessment Questionnaire;
- (c) Liquefied Gas Handling Principles on Ships and in Terminals;
- (d) Ship/Shore Interface Safe Working Practice for Liquefied Petroleum Gas and Liquefied Chemical Gas cargoes; and
- (e) Guidelines for the Handling, Storage, Inspection and testing of Hoses in the Field.

(3) The Authority may permit a vessel to follow a procedure or practice other than those required by maritime industry guidelines, if it is satisfied that other procedure or practice is as safe as that required by the relevant authorities and is in the interests of security, good order, the protection of the environment and the effective and efficient working of the port.

Dangerous goods landed

69.-(1) Where dangerous goods are landed in ISO containers, the vessel's agent shall lodge packing declaration

in ISO  
containers

- through the available system before the container is landed.
- (2) The packing declaration shall prescribe-
    - (a) the correct technical name
    - (b) mass;
    - (c) the UN number;
    - (d) International Maritime Dangerous Goods Code class of each consignment in the container; and
    - (e) a declaration that-
      - (i) the container is fit to transport the respective kind of dangerous goods;
      - (ii) the cargo is adequately secured in the container; and
      - (iii) no other goods which is incompatible with the dangerous goods has been placed in the container.
  - (3) The packing declaration shall accompany the container to its final destination.
  - (4) Where dangerous goods are to be shipped in ISO containers, the packing station shall provide a packing declaration as prescribed in sub-regulation (2) with the loaded container.
  - (5) The packing declaration shall accompany the container at all times and shall be provided to the owner or the master of the vessel when the container is loaded on board.
  - (6) ISO containers with International Maritime Dangerous Goods Code labels attached shall be treated as though they contain dangerous goods.

Offences  
under Part VI

- 70.-(1) A person who contravenes any of the provisions under this Part commits an offence and on conviction shall be liable to a fine not exceeding two hundred USD or its equivalent to Tanzania Shillings.
- (2) In addition to penalties stipulated under subregulation (1), the defaulting party shall be liable to compensate to the extent of damage occurred
  - (3) Notwithstanding the provisions of this regulation, the Authority may order removal of a defaulting vessel from berth to a place directed by the Authority at the owner's risk and expense

PART VII  
FLAMMABLE LIQUID IN BULK CARGO

Application of  
this Part

71. This Part shall apply within the restricted area of oil terminals and to vessels carrying bulk flammable liquids within the port limits, and to all other vessels or craft at, or in the vicinity of, all oil terminal facilities within the ports.

Insurance and  
survey  
certificates

72.-(1) A vessel carrying bulk flammable liquids entering port limits shall hold a valid oil pollution insurance certificate and valid survey certificate issued by the flag State or an authority recognised by the flag State, for the carriage of flammable liquids subject to verification by the Authority.

(2) The Authority shall refuse entry into the port a vessel which is not in possession of the certificates referred to in subregulation (1).

Condition of  
vessel

73.-(1) A vessel shall be properly tended and kept taut for the purposes of dealing with any situation that may detrimentally affect the safe, orderly, efficient and effective working of a port.

(2) Wire towing pendants shall be made fast to bitts and ranged out through bow and stem on a vessel's offshore side, convenient to tugs, and these wires shall be rigged at all times while a vessel is in a port.

(3) A vessel shall be sufficiently manned for the purposes of dealing with any situation that may detrimentally affect the safe, orderly, efficient and effective working of a port.

(4) Intakes of air conditioning or mechanical ventilation system shall, where practicable, be adjusted to prevent the entry of petroleum vapours

(5) All scuppers shall be plugged in satisfactory manner.

(6) The lid of any tank shall only be opened after it has been established that such a tank is gas free

(7) A vessel which carries inflammable liquid shall not exceed fifteen years of age unless her seaworthiness has been approved by relevant authorities.

Removal of  
vessel

74. Where the Authority considers it necessary or in

the interests of safe, orderly, efficient and effective port working, may order the removal of a vessel with flammable liquids on board, from the berth at which it is lying, and the Master or owner shall be responsible for the charges incurred in connection with such removal.

Safety of oil tank

75.-(1) Immediately after the flammable liquids have been removed from each oil tank, the tank shall be secured.  
(2) A tanker shall not lie within thirty metres of any other vessel except by express directive of the Authority.

Cargo deck door to be closed

76. Where cargo is being handled or ballast taken on board, all cargo deck doors and all upper-deck doors facing the cargo deck shall be kept closed, and the doors may only be opened for the purpose of entry and exit where it is essential to the working of the vessel

Discharge of gas

77-(1) A tanker may discharge gas in a port with written permission of the Authority and subject to the conditions as the Authority may impose in the interests of safe, orderly, efficient and effective port working.  
(2) An application to the Authority for permission to discharge gas in a port shall be accompanied by a statement signed by the master of the vessel to the effect that suitable and efficient mechanical equipment for discharging gas is on board the vessel.  
(3) Where pressure is built up in any tank by compressed air or other means, prior to discharging gas, the master shall certify that all gas-line vent valves are in working order.  
(4) The lid of any tank shall only be opened after it has been established that such a tank is gas free.  
(5) Where discharging gas is permitted prior to back loading, the tanks shall be securely closed before back loading is commenced

Close of manifold

78. A vessel's manifold valves and shore pipeline valves shall be kept closed until-  
(a) the hose connection has been made  
(b) the vessel's cargo valves have been set and outlet valves checked;

- (c) all safety precautions have been complied with; and
- (d) the permission of the Authority to commence pumping has been obtained

pumping conditions

79.-(1) As soon as pumping has commenced, and when full pressure has been reached, the master shall ensure that no oil or ballast is being discharged into the sea.

(2) The Pumping of flammable liquids and ballasting shall cease upon the order of the authorised officer of the Authority who shall inform the Harbour Master of any action taken-

- (a) when such order is given in terms of any other provision of this regulation;
- (b) during the failure of lighting either on the cargo deck or on the wharf;
- (c) at the close approach of an electric storm and until all danger has passed;
- (d) in the event of any undue concentration of vapour being detected in the accommodation or the engine room or pump room; or
- (e) in the event of any condition being observed which in the opinion of the Authority is not conducive to the safe working of the vessel.

Handling of flammable liquids

80. Prior to the commencement of handling of flammable liquids, a master shall ensure that-

- (a) all valves and overboard discharges in the pump rooms and cofferdams are securely closed, and remain lashed closed during discharging or shipping operations, except for such valves as it may become necessary to open for the purpose of flushing shore lines with water and all scuppers are effectively plugged;
- (b) the pressure during pumping is increased gradually and all flexible pipe joints are carefully examined during this period in order to minimize the risk of spills; and
- (c) drip pans are placed beneath all pipelines manifold hose connections.

Offences under Part VII

81. A person who contravenes any of the provisions under this Part commit an offence and on conviction shall be to a fine not exceeding two hundred USD or its equivalent in Tanzania Shillings or to imprisonment for a term not exceeding twelve months or both.

PART VIII  
HANDLING OF CONTAINER VESSELS

Container vessels to occupy special berths or terminal

82. A master of container vessel shall ensure that container vessel discharge or load cargo at specialised container terminal or any berth as directed by the Authority.

Safety of container cranes at berths

83. A vessel shall not be brought alongside specialised container terminal if container handling crane booms are in the lowered position or if the container cranes are parked in vulnerable positions of the berths

Responsibilities of master in handling of container

84.-(1) A master shall ensure that-

- (a) handling cranes have them in the stowed position until the vessel is safely berthed;
- (b) Where a ship-to-shore gantry crane is to be used for the discharge or loading of container, the Vessel's deck cranes or derricks are placed in such a position that does not affect loading or discharge cargo
- (c) all containers stowed on deck which are for discharge are unlashed after the vessel is safely berthed and before the time fixed for commencement of loading or discharging.

(2) a master shall provide-

- (a) adequate safe means of access to all container stowed on deck for the purpose of lashing or unlashng.
- (b) sufficient number of twist lock poles or similar device long enough to operate all the twist locks from the weather deck level.

(3) For the purpose of subregulation (2) "adequate safe means" means a ladder of sufficient length to reach the top of the highest tier of containers and of approved

construction according to International Convention for Safe Containers, 1972”.

Vessel's cargo gear to be held in readiness

85.-(1) A vessel shall have the cargo handling gear in readiness after safely berthing, before the time fixed for commencement of discharging or loading operations.

(2) The use of the Ship-to-Shore gantry crane shall be at the sole discretion of Authority

Opening and closing of hatches of vessels without cranes or derricks

86. A vessel which do not have any cargo handling cranes or derricks and require the use of shore equipment to open hatches, shall have the hatch-covers ready for lifting off before the time fixed for commencement of discharging or loading operations.

Marking of containers

87.-(1) A container discharged shall be clearly marked with ISO standard lettering and numbering except in the case of owned container where an adequate marking or non-standard type will suffice

(2) The Authority shall not be liable for loss or mis-delivery of containers which are insufficiently marked

Master or agent to furnish manifest

88. The Master or agent of a vessel, at least twenty four hours prior to arrival of vessel or commencement of working of the vessel in a port shall lodge the cargo manifest to the available system indicating the following items-

- (a) container number;
- (b) port of loading;
- (c) port of discharge;
- (d) the gross mass;
- (e) the bill of lading or mates' receipt;
- (f) the cargo agent name, addresses and contact details;
- (g) owner of the container;
- (h) shipper's details;
- (i) consignee and consignor name, addresses and contact details;
- (j) details of any out of gauge container;
- (k) details of any refrigerated containers and the carrying temperature;
- (l) details of hazardous cargo in containers, using

- International Maritime Organisation system of class numbering according to International Maritime Dangerous Goods Code;
- (m) status of container such as full, empty, house to house, port to port, port to house, house to port;
  - (n) type of container;
  - (o) the number and description of packages or goods; and
  - (p) details of any break-bulk cargo on board
- Customs approved seal                      89.-(1) A container capable of being sealed shall bare customs approved seal attached through the door latch.  
(2) The Authority shall not be liable for the loss of any contents if a container is not sealed or the seal is tampered with as evidenced by tally records.
- Landing containers on vessel convenience                      90.-(1) A vessel wishing to land any container for its own convenience with the intention of restoring such container on board prior to departure shall first obtain Authority's permission  
(2) The Authority shall not be liable for any loss or damage to a container or any contents therein.  
(3) A container which has not been re-loaded before the vessel's departure shall be stored until such time as the container is removed from the port subject to payment of applicable charges.
- Authority to decide use of ship's gear                      91.-(1) When break-bulk cargo is to be discharged at the container terminal, the Authority shall have the liberty to use either the vessel's own crane or derricks, the ship-to-shore gantries or the floating crane.  
(2) The master shall be responsible for lifts and be charged at a special tariff rate.
- Delivery or reception of container                      92.-(1) The delivery to or reception from vehicle shall take place in the container stacking area or any other area as may be directed by the Authority  
(2) A vehicle shall be required to enter and leave the container terminal through the control gate and follow the approved traffic flow system.  
(3) The Authority shall not be liable for the loss of, or

damage to, any container once delivery has been effected but shall hold the hauler responsible for the carriage of the container across the terminal

(4) For a container received from a vehicle, the liability of the Authority shall cease when the container is properly connected to the lifting gear of the crane for shipment

Transfer to depots stripping of container

93.-(1) A port-to-port and house-to-port container at the discretion of the Authority shall be transferred to a designated place by the Authority's own vehicles or transport arranged by the Authority.

(2) The order of stripping of a container shall be determined by the Authority.

(3) A house-to-house container shall be transferred to a place stated in the bill of lading at the customer's risk and expenses.

Change of status of container

94.-(1) Requests for changes of status of containers from house-to-house to port-to-port or vice versa shall be submitted through approved system and shall include-

- (a) relevant Bills of Lading;
- (b) container numbers; and
- (c) the status for which change is requested.

(2) Where the status of the container is not declared in the manifest, a container shall be treated as port to port and attract storage charges as per Tariff Book.

(3) Amendments of status from port to port, port to house, house to house or vice versa shall be received before the carrying vessel starts working.

(4) Where request for amendment is received after the container is landed, storage shall be charged on both the container and the cargo up to and including the date of receipt of the amendment

(5) Where the amendment is received after the container has been shipped, stuffing charges shall be raised through Miscellaneous Port Services bill

Improper packing of goods in containers

95.-(1) Goods shall be evenly packed and properly secured inside container so as to ensure stability of a container.

(2) Half heights and flat racks shall be properly lashed and secured and shall be packed according to relevant laws.

(3) The consignor and consignee shall be liable for the consequences of any accidents arising out of improper packing and lashing of cargo in a container.

PART IX

VESSEL MOVEMENTS, BERTHING AND RELATED MATTERS

Harbour  
Master to  
assign and  
control berths

96.-(1) A vessel shall occupy the berth assigned to her by the Harbour Master and may be removed to any other berth which the Harbour Master may direct.

(2) In assigning berth, the Harbour Master shall take into account-

- (a) contractual and other requirements of any terminal operators operating at that berth;
- (b) good order and efficient working of the port; and
- (c) requirements of the officer responsible for vessel planning.

(3) The Harbour Master shall have control of the berthing and mooring of a vessel accommodated at a private wharf or jetty.

(4) A vessel proceeding alongside a quay shall have no list, but shall be trimmed astern or even keel.

(5) The Harbour Master shall determine the order of provision of marine operations, which includes pilotage, tug and berthing services to vessels and the movement and mooring of vessels in the port

(6) The Harbour Master in determining berth shall take into account the interest of safety, security, and good order, the efficient working of the port and the protection of the environment.

Notice of  
vessel  
movements

97.-(1) A master shall not shift a vessel within a port without permission of the Harbour Master.

(2) The permission referred to in subregulation (1), shall be requested to the Harbour Master at least one hour before the time of the intended shifting.

Notice of

98.-(1) An agent or master shall not immobilise a

immobilisation vessel without written notice and permission of the Harbour Master.

(2) An agent or master intending to immobilise the vessel in port shall comply with the following conditions during the period of the immobilisation:

(a) When at the anchorage-

(i) to have on board sufficient number of crew at all times capable of veering cable and keeping anchor signals on and taking appropriate action in case of an emergency; and

(ii) in the event of an emergency, to inform the Harbour Master without delay and by the most direct means including the use of approved channels

(b) When at a berth-

(i) to obtain the written approval of the Harbour Master;

(ii) to have on board sufficient number of crew at all times to take appropriate action in case of emergency;

(iii) in the event of an emergency, to inform the Harbour Master without delay and by the most direct means including the use of Very High Frequency Channel 12 or 16; and

(iv) to have emergency towing-wires laid over the sides of the bow and stern of the vessel.

(3) Where an emergency occurring on board during the period of the immobilisation, the Harbour Master may direct the vessel to be shifted to another location.

(4) Where the agent or master fails to shift the vessel pursuant to sub regulation (3) the Harbour Master may order the provision of tugs, pilot and mooring gang to effect the shifting of immobilised vessel and all charges incurred shall be borne by the agent or master.

(5) The Authority may, for purposes of safety, security, good order and the efficient working of the port, or the protection of the environment, require a vessel to shift from a berth to another part of the port

(6) The costs of the movement referred to in subregulation (5) shall be borne by the master unless

otherwise agreed.

Lights on vessel

99.- A vessel, whether under way or at anchor between the hours of sunset and sunrise shall exhibit the lights required by the International Regulations for Preventing Collisions at Sea, 1972.

Hiring tug for towage services

100. The Authority shall afford towage and other tug facilities subject to the following conditions:

- (a) on the employment of tug, the master and crew shall become the servants of and be identified with the hire and shall be under the control of the hirer or his servants or agents, and any person on board the hire's vessel who may be employed or paid by the Authority shall be deemed to be the servant of the hirer;
- (b) the Authority shall not, whilst towing, bear or be liable for damage of any description done by or to the tug, or done by or to hirer's vessel, or for any personal injury or loss of life, arising from any cause, including negligence at any time of the Authority's servants or agents, unseaworthiness, unfitness or breakdown of tug, its machinery, boilers, towing gear, equipment or hawsers, lack of fuel stores or speed;
- (c) the hirer shall pay for loss or damage and personal injury or loss of life and shall also indemnify the Authority against all consequences thereof:

Provided that, any such liability for loss or damage as herein prescribed is not caused by want of reasonable care on the part of the Authority to make its tugs seaworthy for the navigation of the tugs during the towing or other services, and the burden of proof of any failure to exercise such reasonable care shall lie upon the owner of the tow; and

- (d) for the purpose of this Regulation the phrase "whilst towing" shall cover the period commencing where the tug is in a position to receive orders direct from the hirer's vessel to pick up ropes or lines or towrope has been passed to or by the tug, whichever is the sooner, and ending when the final orders from the hirer's

vessel to cast off ropes or lines have been carried out, or the towrope has been finally slipped and the tug is safely clear or the vessel, whichever is the latter.

Due notice of vessel's departure to be given

101.-(1) A master of a vessel before the vessel leaves shall give notice to the Authority specifying the time that the vessel will be departing from the port and the notice shall be confirmed by Harbour Master.

(2) The Authority shall grant permission to leave the port by issuing port clearance through the available system

(3) Prior to departure of the vessel in the port, the vessel's owner, master or agent shall submit to the Authority, and where applicable, the terminal operator, passenger manifest and crew list.

Anchors to be ready for letting go

102.-(1) A vessel entering or leaving a port shall have both bow anchors and cables clear and ready for use.

(2) Where an anchor, or chain or cable belonging to a vessel has parted, slipped or has been lost within a port, a master of a vessel shall forthwith report the exact position of the anchor, chain or cable to the Authority.

(3) The Authority may order that an anchor, chain or cable referred to in subregulation (2) be recovered at the expense of the owner or agent of the vessel.

Reporting of damage

103.-(1) A master or agent of a vessel that damages any property within the port, including fouling or displacing a buoy, navigational aid or navigational channel, shall-

(a) immediately report the occurrence to the Authority and any other relevant authorities;

(b) submit to the Authority a full written report setting out the circumstances of the occurrence, within twenty four hours of the occurrence or before the departure of the vessel from the port, whichever is the sooner; and

(c) furnish any further particulars that the Authority may require.

PART X  
SMALL, TRADITIONAL AND PLEASURE CRAFT

Operating licence and anchorage of small, traditional or pleasure craft

104.-(1) A small, traditional or pleasure craft shall not Operate or anchorage in a port without having boat licence issued by the relevant authority on payment of a fee as prescribed in the Tariff Book.

(2) A small, traditional or pleasure craft shall be registered by the relevant authority.

(3) The provisions of subregulation (1) shall not apply to any tug, lighter, motor boat, rowing boat or other small craft owned by the Authority or the Government of the United Republic.

(4) Small, traditional and pleasure craft shall anchor for pratique at a place approved by the Authority and shall keep clear underway from other vessels.

Lying or manoeuvring of pleasure, traditional or small craft

105. A small craft, traditional craft and pleasure craft shall only lie or manoeuvre in a port with a permission of the Harbour Master who may indicate where it may lie or manoeuvre.

Mooring of small, traditional and pleasure craft

106.-(1) A small craft, traditional craft and pleasure craft, shall not be secured to a wharf, jetty, quay, mooring, post, pile, bollard or buoy belonging to the Authority, except with the permission of the Authority.

(2) A small craft, traditional craft and pleasure whatsoever shall not lie alongside any of the passenger landing places or ship's accommodation ladder longer than is necessary to embark or land passengers and their luggage but when waiting, in order not to obstruct the approach, shall lie off at a safe distance to be determined by the Harbour Master.

Beaching for repairs of small craft, traditional craft and pleasure craft

107. A small craft, traditional craft and pleasure vessel shall not be brought ashore or beached for the purpose of repair except at authorised place or such other place as may be assigned by the Authority for that purpose.

Passengers and goods to

108. A boat or launch boat proceeding to or departing from the side of a ship, small craft, traditional vessel and

be landed at place appointed pleasure vessel shall not embark or disembark passengers or load or unload goods except at a place appointed by the Authority.

President's Pier 109. A Boat shall not secure or make fast to the president's Pier at Dar es Salaam or moor or anchor within a radius of 100 feet thereof.

Master of a small craft, traditional and pleasure to provide particulars 110.-(1) A Master of a small craft, traditional and pleasure craft arriving at a port shall provide particulars relating to vessel seaworthiness, cargo and passengers if any.  
(2) A master of a vessel entering a port may be required to produce his vessel's certificate.

Unclaimed property to be taken to Authority 111. A person in charge of a craft licensed to carry passengers shall be responsible for unclaimed property left in his boat, and he shall take such property to the Authority

Liability for loss or injury 112. This Part shall not be deemed to impose any liability or responsibility upon the Authority for loss or injury caused by the acts or negligence of the owner or person in charge of a licensed craft.

Small vessel prohibited from conveying liquor to ship's crew 113.-(1) Owner of a craft or member of a boat crew or a person employed by the owner shall not supply, convey or deliver any liquor on board of any ship at anchor or moored in port, except the liquor-  
(a) has been purchased with the consent of the master from a person duly licensed by the Authority to operate within the port area; and  
(b) has been removed under the customs laws and regulations from a bonded warehouse for exportation beyond the limits of the port or for vessel's stores.  
(2) The Authority may suspend or revoke license, where the owner contravenes the provisions of subregulations (1).

Offences under Part X 114. The owner or person in charge of a small craft traditional and pleasure craft in who contravenes the provision of this part commits an offence and on conviction

shall be liable to a fine of not exceeding two hundred USD or its equivalent in Tanzania Shillings or to imprisonment for a term not exceeding of twelve months or to both.

PART XI  
SPECIAL PROVISIONS RELATING TO DHOW CARGO

Dhow cargo to be handled at approved places

115- (1) Dhow cargo may be loaded and unloaded by the Authority at such charges as may be prescribed in the Tariff Book within port premises as appointed by the Authority

(2) Notwithstanding the provisions of subregulation (1) and subject to compliance with regulatory requirements, the Authority may permit dhow cargo to be loaded or unloaded by the owner's labour, at such charges as may be prescribed in the Tariff Book within port premises as appointed by the Authority.

Import and export of dhow cargo

116. Import and export cargo from and to dhows may be deposited on the premises of the Authority at the discretion of the Authority at places as may be appointed for the deposit of dhow cargo and at such charges as prescribed in the Tariff Book.

Authority not responsible for loss or damage

117.-Where goods are loaded, unloaded or deposited under the provisions of this Part, the Authority shall not be liable in respect of loss, mis-delivery or detention of, or damage to such goods where such loss, mis-delivery or detention of, or damage is caused by the owner's acts or omission.

Dried and salted fish

118.-(1) Dried and salted fish deposited on the premises of the Authority shall be removed there from within a period of three days.

Provided that, the time may be extended by the Authority where the goods have been entered for home consumption in accordance with the provision of the Customs laws.

(2) Where goods have not been removed within the period as prescribed under subregulation (1), the Authority may sell the goods by public auction pursuant to the

provisions of the Act, and out of the proceeds of the sale, may deduct any sum due to the Authority and deliver the balance, if any, to the person appearing to the Authority to be entitled thereto.

Removal or sale of goods by Authority

119. Where goods other than dried and salted fish are entered on the premises of the Authority, the Authority may give notice to the person required to remove the goods within such time as may be specified in the notice, and if the goods are not removed within the time specified, the Authority may sell the goods and dispose of the proceeds of sale by deducting any sum due to the Authority and deliver the balance, if any, to the person appearing to the Authority to be entitled thereto,

Provided that, imported goods shall not be sold until they have been entered in accordance with the provisions of the Customs laws.

Handling of dhow cargo

120.-(1) A cargo from or to a dhow shall not be landed or shipped at the Authority's quays, jetties or wharves ordinarily used by ships or lighters.

(2) A crane installed at the port shall not be used for the purpose of landing or shipping dhow cargo, except with the permission of the Authority and subject to the payment by the master or owner of the dhow ordinary charges applicable thereto prescribed in the Tariff Book.

## PART XII STORAGE OF CARGO

Non-accept of certain goods for storage

121. (1) The Authority may refuse to accept the storage of the following goods-

- (a) articles of unusual length, bulk or weight, or of exceptional bulk in proportion to weight;
- (b) articles unpacked or improperly or insufficiently packed;
- (c) dangerous, hazardous or offensive goods which are likely to cause harm or damage to persons or property;
- (d) perishables and goods inherently liable to wastage

in bulk or weight or to latent or inherent defect, vice or natural deterioration;

- (e) timber;
- (f) scrap metal;
- (g) animals; and
- (h) any other goods, as the Authority may deem fit to impose condition thereon.

(2) Where the Authority accepts the storage of goods prescribed under subregulation (1), may impose special conditions to the storage of those goods.

Charges for change of good's delivery method

122. Where there is change of status from direct delivery or loading to indirect delivery or loading, the charges for shore handling shall be uplifted as specified in the Tariff Book

Storage charges on imports

123. Storage charges shall be levied on import cargo and merchandise for which documents have not been received by the Authority or on which charges have not been paid or secured:

Provided that such cargo and merchandise shall be subject to a free period as prescribed in the Tariff Book.

Charges for unremoved goods

124.-(1) Imported goods which have not been removed from the Authority's sheds or stacking yards within the time specified in the Tariff book shall be subject to storage charges for any period in excess of the free period specified in the Tariff Book.

(2) Imported cargo at any port area and in respect of which required documents have not been presented to the Authority within the period prescribed in the Tariff Book, may be moved by the Authority, within the storage area or from the storage area to any other area within the port area and any cargo so moved shall incur a removal charge as prescribed in the Tariff Book.

Goods detained by Customs and Police

125.-(1) Goods detained by Customs for examination purpose at the discretion of the Authority, may be exempted from store charges from the date the documents are stopped by Customs until the date of completion of examination.

(2) Goods seized by police as found goods or property shall be released by the Authority against signature of a police officer and such goods shall be returned to the Authority upon completion of investigations or court proceedings for disposal in accordance with applicable procedures,

Provided that, any delay attributable to the importer or agent during the period of detentions shall not be given the benefit of such free storage.

Storage charges on export cargo

126.-(1) Storage charges shall be levied on export cargo and, save as otherwise provided herein, shall be levied from the date of acceptance by the Authority of such export cargo in the port area until the loading date.

(2) A free storage period as prescribed in the Tariff Book shall be allowed on export cargo.

Shut out cargo

127.-(1) Shut out cargo shall incur storage and other charges as prescribed in the Tariff book.

(2) Cargo shall be deemed to be shut out if it has been accepted into the port for shipment but is not accepted for carriage by the vessel named in the shipping order.

Export cargo may be transferred

128. The export cargo on which storage charges have become due may be transferred by the Authority to any point in the port area or left in situ,

Provided that such cargo shall incur additional charges as prescribed in the Tariff Book.

Removal of export cargo

129.-(1) Where exporter or a shipper desire to move any export cargo already in the storage area for a purpose other than for shipment, the Authority shall provide labour and crange necessary at the charge prescribed in the Tariff Book and the employment of private labour for this purpose shall not be permitted.

(2) Where the removal of export cargo is from the Authority's storage area to a private warehouse, the necessary loading orders shall be submitted not less than forty-eight hours before the expiration of the free storage period on the goods concerned.

(3) Where exporter or a shipper fails to comply with

the provisions of subregulation (2), the goods shall be subjected to storage charges up to the date on which the goods are loaded as prescribed in the Tariff Book.

When storage accommodation not available

130.-(1) Where the Authority declare that port storage accommodation is not available, the owner or agent shall not be allowed to enter the goods into the port premises for a period specified by the Authority.

(2) A person who contravene the provision of subregulation (1), commits an offence and on conviction shall be liable to a fine not exceeding two hundred U.S.D or its equivalent in Tanzania Shillings.

Waiver of storage charges

131.-(1) The Authority may grant waiver of storage charges, upon application.

(2) Applications for waiver shall be dealt with in accordance with the Authority's waiver policy.

Change of ownership of goods

132. Any change in the ownership of goods shall be notified to the Authority immediately and, in the absence of such notification, the previous owner shall be held responsible for all charges.

Storage charges on transshipment and over-landed Cargo

133.-(1) Storage charges shall be levied on all transshipment and over landed cargo where landed, or discharged pending reshipment,

Provided that, a free storage period shall be allowed as prescribed in the Tariff Book.

(2) While awaiting reshipment, transshipment cargo shall not leave the custody of the Authority or dry port operator and shall not be subject to manipulation, otherwise ordinary import and export charges shall be applied.

Passenger's baggage not removed

134. Passenger's baggage not removed from the Customs examination location at port within twenty-four hours after clearance shall be removed and warehoused and charged storage charges prescribed in the Tariff Book

Claims for refund of overcharges

135.-(1) Claims for refund of overcharges in respect of port dues and charges shall be presented to the Authority before the expiration of three months from the date such port

dues or other charges were incurred and shall be supported by such documents as the Authority may require.

(2) Claims for refund of overcharges in respect of port dues and charges shall be dealt with in accordance with the Authority's claims policy.

(3) Unless the provisions of subregulation (1) are complied with, the Authority shall not accept any liability for the overcharge nor shall the claim be considered.

PART XIII  
WAREHOUSING

Warehousing  
of export  
cargo

136.-(1) The Authority may warehouse export cargo other than livestock at port subject to the following conditions that-

- (a) space is available;
- (b) goods intended for port warehouses shall be so consigned by the Authority basing on the nature of goods; and
- (c) non-port labour shall not be allowed in port warehouses without approval of the Authority.

(2) The Authority may withdraw the service of warehousing export cargo under special circumstances.

Special  
charges

137. Where services in connection with goods warehoused in port warehouses is not included in the Tariff Book it shall be subject to a special charge to be determined by the Authority.

Warehousing  
of dangerous  
goods

138. The Authority may accept in port warehouses dangerous goods specified in the International Maritime Dangerous Goods Code., at a charge, and on a written application, subject to the availability of necessary facilities and safety requirements.

Packing of  
warehoused  
export goods

139.-(1) Export goods warehoused in port facilities shall be properly packed for shipment.

(2) Resorting and other manipulation of goods shall not be permitted in port warehouses without permission of the Authority.

Particulars to be provided and storage charges to be paid

140. Goods shall not be released for export or local delivery from port warehouses until all particulars including the value of such goods when applicable, have been furnished to the Authority and storage charges thereon paid, or secured.

PART XIV  
GENERAL SAFETY REGULATIONS

Application of safety regulations

141. Safety regulations contained in this Part shall apply in respect of port operations within the port area.

Responsibility of master for safety of vessel

142. A master of a vessel within the port limits shall be responsible for the safety of the vessel at all times and these Regulations shall not be construed as relieving the master of this responsibility.

Event of fire outbreak

143.-(1) Where an event of a fire occurs on board, the master shall at once give the alarm to the Authority and take steps in preventing the fire as the Authority may direct.

(2) A master shall hoist N.C of the International Code and at the same time sound one long and three short blasts in quick succession on the whistle and keep it hoisted until the fire on board has been extinguished.

(3) The Authority may exclude the public from the vicinity of the fire in the event of a major outbreak of fire, and close the whole or any section of the port area as it thinks fit.

(4) A person in a port area shall not disregard the directives of the fire officer, police officer or other authorised person or obstruct or in any way interfere in with the fire-fighting operations.

(5) The Authority may charge fees in respect of the fire-fighting services at a rate as prescribed in the Tariff Book, where renders fire-fighting services whether at the request of a person or not.

Boarding or leaving ships

144. A person shall not, board or leave a vessel while the vessel is in motion or sleave or board a ship except by means of the gangway or an efficient pilot ladder without permission of the Authority.

Ship's gears not to be left in a port area	145. A master shall not leave ship's gears in a port area except with the permission of the Authority.
Vessel not to be turned by use of engines while at buoy	146. A master shall not turn round a vessel by engine while made fast at buoy.
Fires prohibited	147. A person shall not be allowed to make fire or lights near the hatches or in the holds in which dangerous goods are stored: Provided that, this regulation- (a) shall not prevent the use of an electric lighting installation or a safety lamp of a construction approved by the Authority or of ship's riding or signal lights so disposed as to prevent any risk of fire or explosion; and (b) shall not apply to engine room fires when the same have been previously carefully banked.
Drunkenness	148. A person under the influence of alcohol or drugs shall not be allowed to enter into ports area.
Gear for lifting	149. A master shall ensure that, the fore and aft beams and thwart vessel beams used for hatch covering have suitable gear for lifting them on and off without it being necessary for a person to go upon them to adjust such gear.
Prohibition on placement of goods on a wharf	150. A person shall not place goods on a wharf or quay to block a clear passage leading to the means of access to the vessel and if any space is left along the edge of the wharf or quay it shall be at least 91 cm (three feet) wide and clear of all obstruction other than fixed structures, plant and appliances in use.
Lifting machinery to be tested and examined	151. The Authority shall ensure that lifting machinery is tested and examined before taking into use in a manner set out by the Authority.
Authority may destroy or otherwise deal	152. In case of emergency or for the purpose of securing better safety of a port or the vessel therein, the

with goods Authority in consultation with relevant authorities, wherever it seems expedient to do so, may destroy or otherwise dispose of goods without compensation to the owner of the goods and the costs of the disposal shall be borne by the consignee, owner or agent of the goods as the case may be.

Hot work permit 153.-(1) A person shall not perform a hot work on a vessel or on shore within the port area without a permit from the Authority.

(2) The Authority shall inspect the place where hot work will be performed before it issues the permit.

(3) The Authority shall impose conditions upon the performance of the hot work and charge fee as prescribed in the Tariff Book.

Wrecks removal 154. A person shall not remove a wreck, hulk, vehicle or vessel in a port area without the permission of the Authority or in contravention of any condition which may be imposed by the Authority.

Offence under Part XIV 155. A person who contravenes any of the provisions of this Part commit an offence and on conviction shall be liable to a fine not exceeding two hundred USD or its equivalent in Tanzania Shillings or to imprisonment for a term not exceeding twelve months or to both.

PART XV  
OCCUPATIONAL SAFETY AND HEALTH AT WORKPLACE

Safety and precaution measures to be observed 156. A person within a port area shall-

- (a) take reasonable precautions for own safety, safety of others and property;
- (b) adhere to safety signs and posters installed in the port premises;
- (c) not operate defective vehicle or plant;
- (d) clean the port surroundings and put waste material in waste bins;
- (e) put on safety gears (PPEs);
- (f) not dispose of waste materials within the port area; and
- (g) observe governing safety and health regulations.

Driving of  
vehicle in the  
port area

157.-(1) A person who drives a vehicle in the port area shall-

- (a) ensure the vehicle is mechanically sound;
- (b) possess a valid driving licence;
- (c) observe road traffic rules and signs within the port areas;
- (d) observe the maximum speed limit of 20 km/hr;
- (e) ensure all tyres of the vehicle are in good condition;
- (f) immediately report to the Authority on any accident occurring in the port area;
- (g) not drive under influence of alcohol;
- (h) not drive while using a mobile phone;
- (i) not drive with ear muff or ear phone on;
- (j) have hazard triangle sign and an appropriate fire extinguisher; and
- (k) not cause obstruction to roadways, railways or passage ways within the port area and its environment.

(2) Trucks owners and drivers shall ensure that-

- (a) trucks have twist locks and container should all times be fixed when loaded on the truck;
- (b) the lighting systems including indicators and brake lights are in good working condition;
- (c) truck is installed with appropriate fire extinguisher for fire extinction;
- (d) the body of the truck or trailer carrying grain cargo is covered with rolled tarpaulin tops to prevent air pollution;
- (e) the body of the truck or trailer carrying grain should be air tight to prevent spill of grain in the port areas;
- (f) truck carrying break cargo should have flatbed trailers with vertical stakes or steel cradles to hold steel pipes or timbers in place; and
- (g) truck is fitted with appropriate reflectors both on front and rear.

(3) All operational equipment shall have the right of way within operational area.

Offences under Part XV

158. A person who contravenes any of the provisions of this Part commit an offence and on conviction shall be to a fine not exceeding two hundred USD or its equivalent in Tanzania Shillings or to imprisonment for a term not exceeding twelve months or both.

PART XVI  
ENVIROMENTAL PROTECTION

Deposition of foreign materials prohibited

159.-(1) A person shall not throw, discard, discharge or deposit or allow or cause to be thrown, discarded, discharged or deposited within a port any article, material or liquid which is liable to cause an obstruction, danger, pollution or nuisance.

(2) Expenses and claims that may be incurred by the Authority in recovering or removing any article, material or liquid referred to in subregulation (1), shall be borne by such person who caused such obstruction, danger, pollution or nuisance.

(3) Notwithstanding the provisions of subregulation (2), the person causing the obstruction, danger, pollution or nuisance commits an offence and on conviction shall be liable to a fine not exceeding two hundred USD or its equivalent in Tanzania Shillings or to imprisonment for a term not exceeding twelve months or both.

Fumigation of vessel

160. The owner or master of a vessel shall not cause a vessel to be fumigated within port limits except with the written permission of the Harbour Master and upon such conditions as the Harbour Master may impose in the interest of safe, orderly, efficient and effective working of the port.

Sparks, fumes, soot, smoke and paint

161.-(1) The owner or master of a vessel in a port shall take necessary precautions to avoid excessive emission of sparks, fumes, soot, smoke or paint from such vessel.

(2) Any claim for damages caused by the emission of sparks, fumes, soot, smoke, or paint from a vessel shall be at the expense of the owner or master of the vessel.

(3) Notwithstanding the provisions of subregulation (2), the person causing sparks, fumes, soot, smoke, or paint commits an offence and on conviction shall be liable to a fine

not exceeding two hundred USD or its equivalent in Tanzania Shillings or to imprisonment for a term not exceeding twelve months or both.

Ballast Water

162. Ballasting or de-ballasting shall not take place within a port, except with the permission of the Harbour Master and under such conditions as the Harbour Master may impose in the interests of the safe, orderly, effective and efficient working of the port.

discharge of waste prohibited

163. A master shall not discharge or dump-

- (a) sewage or sanitary into port waters or any part of the port area except with express permission of the Harbour Master and into a facility dedicated for that purpose;
- (b) residue water into port waters as a result of hatch or tank cleaning without the written permission of the Harbour Master:

Provided that, the Harbour Master may impose conditions upon granting the permission under this regulation.

Prevention of pollution and protection of the environment

164.-(1) A person within a port shall take reasonable steps to prevent, minimize and mitigate pollution or damage to or degradation of the environment.

(2) A person who pollutes, degrades or causes damage to the environment shall bear the costs associated with the combating and cleaning up of that pollution, damage or degradation, and the associated impacts thereto.

(3) Where a person responsible for the pollution or damage to the environment fails to take necessary measures to prevent, minimize, mitigate, combat and clean up the pollution or damage to the environment, including its associated impacts, the Authority may take the necessary measures to combat the said pollution.

(4) Expenses and claims that may be incurred by the Authority referred to in subregulation (3), shall be borne by such person.

Port waste reception facilities

165.-(1) A terminal operator and master shall make use of the port facilities for the reception of wastes from a

vessel.

(2) Notwithstanding the provisions of subregulation (1), the Authority may require -

- (a) a terminal operator to provide or procure proper and adequate facilities from a licensed waste disposal service provider for the reception of wastes from vessel, using the port terminal; and
- (b) the owner or master to provide or procure proper and adequate facilities from a licensed waste disposal service provider for the reception of wastes from vessel if the service is not provided by a terminal operator.

(3) In assessing the adequacy of the waste reception facilities contemplated in subregulation (2), the terminal operator, owner or master of the vessel, as the case may be, shall have regard to the Authority's Waste Management Plan.

(4) Notwithstanding the provisions of this regulation, the owner or master of a vessel shall dispose galley waste in accordance with the Authority's Waste Management Plan.

Application of Authority's Plan

166. The Authority's Waste Management Plan shall apply to terminal operator, tenants and all port users.

Removal of vessel from port

167.-(1) The Harbour Master may order removal of a vessel from a port if that vessel has goods or other matter on board that may be a threat to the environment at the expenses of the owner or master.

(2) Notwithstanding the provisions of subregulation (1) the Harbour Master may order the cargo or other matter to be disposed of, at the expense of the vessel owner or master.

Protection of animals, birds, fish and plants

168.-(1) A person shall not collect, use, remove or relocate any animal, bird, fish or plant that is within the port area unless he is so authorised by the Authority.

(2) The provision of subregulation (1), shall not be construed to affect the licence, agreement or lease with the Authority to regulate pest control.

Burials

169. A person shall not burry or dispose a dead person, animal or carcass of any kind within the port limits.

PART XVII  
PORT SECURITY AND CONTROL

Closing roads,  
wharves

170. The Authority may close any road, wharf, jetty, quay, warehouse or any part thereof, within the port area, and permit or prohibit the use thereof subject to conditions or payment as the Authority may impose.

Vehicle to  
take position  
of place  
assigned

171.-(1) A vehicle within a port area shall take the position or place assigned to it by the Authority.

(2) A person in charge of a vehicle within a port area shall move his vehicle when required to do so by the Authority.

Trespass on  
the port area

172. An unauthorised person shall not-

- (a) enter a port area, climb upon the roof of a shed or upon a crane, lighthouse, signal station or navigation mark; and
- (b) remove or bring into a port area a timber, wood, vegetation or growth, sand, stone, ballast, or shingle.

Dangerous  
driving

173. An authorised person shall not drive a vehicle on a thorough fare within a port area so as to be a danger to the public.

Behavior of  
drivers

174. A driver or person in charge of a vehicle at all times while in or entering or leaving a port area shall conduct himself in an orderly manner and comply with orders as may be issued by the Authority, and with the terms of any notice or sign exhibited by or under the directives of the Authority.

Damage of  
Authority's  
property

175. A driver or a person in charge of a vehicle shall be liable for any damage caused by negligent driving and the Authority may detain the vehicle or any property until the damage have been recovered or the Authority direct otherwise.

Danger  
signals

176. A person in a port area shall not disregard a danger signal or refuse to stop when called upon to do so by

the Authority.

Restriction on parking of vehicle

177. A vehicle shall not be parked over, under or near a fire hydrant, quay side, railway crossing or crane supply line ducts, port handling equipment and other restricted area as may be directed by the Authority.

Caring identification cards or port entry pass

178. A person entering a port area shall be required to carry and exhibit identification card or port entry pass from the time of entering to the time of leaving the area.

Entering or leaving port area

179.-(1) A person shall-

- (a) not enter or leave a port area without authorisation;
- (b) enter or leave a port area through the port entrances or exits provided and be subject to the lawful orders and directives of the Authority.

(2) A person who wishes to enter the port area for a legitimate purpose may do so, subject to the condition that the Authority shall not be liable for personal injury, loss, damage, delay, or detention or damage to his property howsoever caused:

Provided that, the provisions of subregulation (2) shall not apply to the Authority's employees.

No delivery without proper gate pass

180.-(1) A person shall not knowingly or unknowingly, deliver or cause to be delivered into any vehicle intended to be used for the conveyance of goods out of a port area, or take out of the port area, any parcel, package or article of any kind within the area except upon possession of, or production and delivery to the Authority at a designated port gate, as the case may be, of gate pass and pass out check authorizing such person to take the parcel, package or article out of such port area:

Provided that, possession of, or production and delivery of such gate pass may be done through an electronic security system.

(2) A gate pass shall not be endorsed after pass-out checks in respect of manifested cargo, passenger's baggage and un-manifested articles ex-ship, unless and until all customs requirements have been complied with and all port

dues, rents, and charges in respect thereof have been paid or secured.

(3) Where parcels, packages or articles are conveyed out of a port area by railway, the parcels, packages or articles shall be conveyed only when they have been properly booked out for the conveyance and after customs requirements have been complied with and port dues, storage, rates and charges in respect thereof have been paid or secured.

Closure of port gates

181. The Authority may close port gates at any time on special circumstances and upon issuance of a notice.

Approval for conduct of activities within the port area

182. A person shall not conduct any activity within a port area without the approval of the Authority

untamed and wild animals

183. The Authority shall deal with untamed and wild animals and reptiles found at large on port premises in accordance with the applicable laws.

Provided that, those which are on board of a vessel within a port area shall be properly secured by the master.

Use of sound alarms

184. Except for the purpose of navigation or of giving a fire alarm, a person shall not sound an alarm without the permission of the Authority.

Ballast permits

185. A person shall not remove stone or sand within the limits of a port area without the permission of the Authority and subject to payment of a charge prescribed in the Tariff Book.

Smoking prohibited

186.-(1) A person shall not smoke within the port area except at an area designated by the Authority for that purpose.

(2) A person who breaches this regulation may, without prejudice to any other penalty which may be incurred under these Regulations or other law, be forthwith removed from the port area.

Port Security

187-(1) There is hereby established a Port Security

Committee	<p>Committee.</p> <p>(2) The functions and composition of Port Security Committee shall be stipulated under the Ports Security Charter</p>
Security and Access	<p>188. Subject to the provisions of any legislation regulating state security agencies, the Authority shall be responsible for the regulations and control of the security within the port area.</p>
Entering a controlled building	<p>189.-(1) A person shall not-</p> <p>(a) enter a controlled building except with the permission of the Authority; and</p> <p>(b) remain in a controlled building after being instructed to leave by the Authority.</p> <p>(2) Port security officer may use reasonable force in the circumstances of removing a person who by remaining in a controlled building or restricted area is in contravention of subregulation (1)(b).</p>
Search	<p>190.-(1) An authorised person shall search a person, baggage, cargo, vehicle, vessel or other moveable property of any description which is entering or about to enter a controlled building or restricted area.</p> <p>(2) A person who-</p> <p>(a) refuses to be searched; or</p> <p>(b) refuses his baggage, cargo, vehicle, vessel or other moveable property, to be searched,</p> <p>may be restricted from entering a restricted area or controlled building.</p> <p>(3) An authorised person, where he has reasonable cause to suspect that a prohibited article is in, or may be brought into, a controlled building or restricted area, may search any part of-</p> <p>(a) the controlled building or any baggage, cargo, vehicle, vessel or other moveable property of any description which, or any person who, is for the time being in any part of the controlled building; and</p> <p>(b) the restricted area, or any baggage, cargo, vehicle, vessel or other moveable property of any</p>

description which, or any person who, is for the time being in any part of the restricted area.

(4) An authorised person, where exercise the power conferred to him under subregulation (3) and under special circumstance, may enter any controlled building or any building or works in the restricted area or any land in the restricted area by force.

(5) Where in the course of a search carried out under this regulation, a prohibited article is found, an authorised person shall detain the culprit and restrain the prohibited article and immediately contact and surrender the culprit and article to the police officer around the port area within eight hours.

(6) Subject to subregulation (7), searches undertaken under this regulation shall be carried out in public and may not require a person to remove clothing other than an outer coat or jacket and any gloves and hats.

(7) Where it is necessary to require the removal of more than an outer coat or jacket and any gloves or hat in order to establish whether a prohibited article is being carried, search shall be undertaken in private and in the presence of two or more authorised persons who shall be of the same sex to that of searched person.

Obstructing  
Authority's  
Officers

191. A person shall not obstruct, impede, molest, threaten or interrupt any officer, workman, agent or person employed by the Authority within a port in the performance of his duty or in the execution of any of the work, matters or things to be done by him.

Compliance of  
International  
Ships and Port  
Facilities  
Security Code

192. The Authority shall comply with the International Ship and Port Security Code for security of ships and port facilities.

Offence under  
Part XVII

193. A person who contravenes the provisions of any regulations under this Part, commits an offence.

PART XVIII  
MISCELLANEOUS PORT SERVICES

Licence or agreement to undertake activities within the port

194. A person shall not-

- (a) undertake stevedoring, loading or unloading of goods;
- (b) act as port baggage attendant;
- (c) perform the works of clearing and forwarding of goods; or
- (d) perform any other activity relating to marine or port service or facility,

within the port area without a valid licence or agreement with the Authority and upon payment of fees as prescribed in the Tariff Book.

Operating miscellaneous port services within port area

195.-(1) A person shall not carry the business of miscellaneous port services within a port area without a relevant valid licence set out in the First Schedule and upon payment of fees prescribed in the Tariff Book.

(2) A person shall not go on board a vessel for taking away from a vessel, marine stores, sweeping, dunnage, wood or other article, without the written permission of the master thereof.

Port baggage attendant

196. A port baggage attendant shall display in conspicuous manner the identification card within the port area at all times.

Cancellation or suspension, of licence or permit

197. The Authority may in the interests of safe, orderly, efficient and effective port working;

- (a) refuse to issue or renew a licence or permit; and
- (b) suspend or cancel a licence or permit issued under these Regulations.

PART XIX  
GENERAL PROVISIONS

Port dues and charges

198. Vessel's dues, wharfage, handling, storage and other port dues and charges including fire standby services for dangerous cargo shall be levied at such rates as prescribed in the Tariff Book.

Agreement to  
provide  
service

199.-(1) The Authority may enter into agreement with any person including any company or association or body of persons, corporate for the performance or the provision of any of the services or the facilities which may be performed or provided by the Authority.

(2) Where a person referred to under subregulation (1), is an entity it shall-

(a) if it is the foreign company, have at least forty nine percent of the shares is held by citizens of United Republic of Tanzania;

(b) has a director or shareholder who sworn not to have-

(i) been convicted of offence-

(aa) against the national security;

(bb) fraud, forgery, corruption or economic crimes;

(cc) non-payment or evasion of any tax or levy payable under any written law; and

(dd) against decency or morality.

(ii) been declared bankruptcy in accordance with the Bankruptcy Act; and

(iii) a record of violation of local and international security and safety regulation.

(3) The director or shareholder shall fill in an affidavit set out in the Second Schedule to affirm that he has not been convicted of the offence referred in subregulation (2)(b).

Powers to  
issue  
guidelines

200. The Authority may issue general guidelines to facilitate effective implementation of these Regulations.

General  
Penalty

201. A person who contravenes the provisions of any regulations under these Regulations, for which no specific penalty is provided, commit an offence and on conviction shall be to a fine not exceeding two hundred USD or its equivalent in Tanzania Shillings or to imprisonment for a term not exceeding twelve months or both.

*GN. No. 623 (Contd)*

Revocation  
GN. No.  
413 of 1991

202. The Tanzania Harbours Regulations is hereby  
revoked.

FIRST SCHEDULE

(Made under regulation 195 (1))

MISCELLANEOUS PORT SERVICES LICENCE

1. Merchant licence (Marine).
2. Ship chandler and ship contractor licence (Marine).
3. Boat licence and pilot exemption certificates (Marine).
4. Port baggage attendant licence (Port Operation).
5. Licence for harbour craft in using and fishing stakes (Marine).
6. Hire of row boat, boats portorage and bumboatman's licence (Marine).

SECOND SCHEDULE

(Made under regulation 199(3))

AFFIDAVIT

I, ....., of P. O. Box ....., at ....., being a director/shareholder of a company which is applying for licence from Tanzania Ports Authority (TPA) for conducting the business of: .....

SOLEMNLY SWEAR UPON OATH AND CONFIRM

1. That I am qualified to apply for a licence to operate the business of .....
2. That I have fully reviewed and understood the eligibility requirements for application of a licence to operate the business of .....
3. That, as a director/shareholder I have never been convicted of an offence
  - a. against national security;
  - b. involved non-payment or evasion of any tax or levy payable under any written law
  - c. against corruption; and
  - d. against decency or morality.
4. That, as a director I have never been declared bankrupt in accordance with the Bankruptcy Act, Cap 25.

G.N. No. 623 (Contd)

- 5. That, as a director I have no record of violation of local and international security and safety regulations in the regulated sector.
- 6. That I was given adequate time to fully understand and review the eligibility requirements hence thereof take the responsibility that may arise on fact deposited herein.

Dated at .....this..... day of ..... 20....

.....  
DEPONENT

VERIFICATION

I,  
.....,  
do hereby states that all what is stated above in paragraphs 1, 2, 3(a-e), 4, 5 to 6 are true to the best of my knowledge.

Verified at ..... this..... day of.....  
20.....

.....  
DEPONENT

Sworn and delivered at..... by  
the said ..... who is known to me  
personally/introduced to me by  
.....the latter be known to me

personally this .....day of.....20.....  
DEPONENT

BEFORE ME:

Name:.....

Signature:.....

Address:.....

Qualification: Notary Public and Commissioner for Oaths

Dodoma,  
20<sup>th</sup> June, 2024

MAKAME M. MBARAWA  
*Minister for Transport*