



MWAKA WA 101

31 Januari, 2020

TOLEO NA. 5

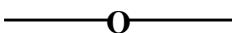
GAZETI

BEI SH. 1,000/=

LA

DODOMA

JAMHURI YA MUUNGANO WA TANZANIA



Linatolewa kwa Idhini ya Serikali na
Kuandikishwa Posta kama
Gazeti

YALIYOMO

Taarifa ya Kawaida	Uk.	Taarifa ya Kawaida	Uk.
Kuajiriwa na Kukabidhiwa Madaraka Na. 76	153	Tangazo la Kufungwa Kampuni Na. 91	157
Notice <i>re</i> Supplement Na. 77	154	Special Resolution Na. 92-3	157/8
Kupotea kwa Hati ya Kumiliki Ardhi Na. 78-80	154/5	Voluntary Winding Up Na. 94-9	158/9
Kupotea kwa Leseni ya Makazi Na. 81	155	Majina ya Wakaguzi wa Magari na	
Ilani ya Kuhamisha Jina la Mmiliki wa		Watahini wa Madereva Na. 100	160
Kipande cha Ardhi Na. 82	155	Maombi ya Vibali vya Kutumia Maji Na. 101	160/7
Kampuni Inayotarajiwa Kufutwa katika		Uthibitisho na Usimamizi wa Mirathi Na. 102-3	167
Daftari la Makampuni Na. 83-7	156	Change of Name by Deed Poll Na. 104	168
Kampuni Iliyofutwa katika Daftari la		Inventory of Unclaimed Property Na. 105-7	168/71
Makampuni Na. 88-90	156/7		

KUAJIRIWA NA KUKABIDHIWA MADARAKA

TAARIFA YA KAWAIDA NA. 76

WIZARAYA UJENZI, UCHUKUZI NA MAWASILIANO
MFUKO WA MAWASILIANO KWA WOTE (UCSAF)

UTEUZI

*Kuwa Mtendaji Mkuu wa Mfuko wa Mawasiliano kwa
Wote (UCSAF) kuanzia tarehe 01/12/2019*

JUSTINA MASHIBA

KUSTAAFU

WIZARAYA KILIMO NA USHIRIKA
CHUOKIKUU CHA USHIRIKA MOSHI (MoCU)

*Aliyekuwa Afisa Programu Mwandamizi Daraja la I
katika Chuo cha Ushirika Moshi Mkoa wa Kilimanjaro,
amestaafu kazi kuanzia tarehe 06/11/2019*

NDUGU JOSHUA MBONEA KAVUTA

Matangazo yahusuyo mali za watu waliofariki, kuvunja mikataba ya ushirikiano na mengineyo, yakiwa ya manufaa kwa umma yaweza kuchapishwa katika Gazeti. Yapelekwe kwa Mhariri, Ofisi ya Rais — Menejimenti ya Utumishi wa Umma, S. L. P. 670. 40404 Dodoma, Simu za Ofisi: +255(026)2963630. Kabla ya Jumamosi ya kila Juma.

TAARIFA YA KAWAIDA NA. 77

Notice is hereby given that Rules, Regulations, Orders and Notice as Set out below, have been issued and are published in Subsidiary Legislation Supplement No. 5 dated 31st January, 2020 to this number of the *Gazette*:-

Rules under the Petroleum (Lubricants Operations) (Government Notice No. 50 of 2020).

Regulations under the Plant Breeders' Rights (Amendments) (Government Notice No. 51 of 2020).

Regulations under the Water Supply and Sanitation (Amendment) (Government Notice No. 52 of 2020).

Regulations under the Water Resources Management (Water Abstraction, Use and Discharge) (Amendment) (Government Notice No. 53 of 2020).

Regulations under the Water Resources Management (Exploration and Drilling Licensing) (Amendment) (Government Notice No. 54 of 2020).

Regulations under the Water Resources Management (Dam Safety) (Amendment) (Government Notice No. 55 of 2020).

Regulations under the Water Resources Management (Procedure for Nomination of Board Members) (Amendment) (Government Notice No. 56 of 2020).

Regulations under the Natural Wealth and Resources Contracts (Review and Re-Negotiation of Unconscionable Terms) (Government Notice No. 57 of 2020).

Regulations under the Natural Wealth and Resources Permanent Sovereignty) (Code of Conduct for Investors in Natural Wealth and Resources) (Government Notice No. 58 of 2020).

Regulation under the Environmental Management (Control and Management of Mercury and Mercury Compounds) (Government Notice No. 59 of 2020).

Order under the Urban Planning (Msimbazi Special Planning Area) (Government Notice No. 60 of 2020).

Order under the Urban Planning (Kanazi-Bujunangoma Planning Area) (Government Notice No. 61 of 2020).

Order under the Subsidiary Legislation (Miscellaneous Rectification of Printing Errors) (Government Notice No. 62 of 2020).

Order under the Executive Agencies (Tanzania Public Service College) and (Tanzania Global Learning Agency) (Disestablishment) (Government Notice No. 63 of 2020).

Order under the Executive Agencies (Tanzania Public Service College) (Establishment) (Government Notice No. 64 of 2020).

Notice under the Energy and Water Utilities Regulatory Authority (The Inquiry on Very Small Power Producer (VSSP) Tariff Review by Jumeme Rural Power Supply) (Government Notice No. 65 of 2020).

Notice under the Energy and Water Utilities Regulatory Authority (The Inquiry on Very Small Power Producer (VSSP) Tariff Review Application by Powergen Renewable Energy Limited) (Government Notice No. 66 of 2020).

Notice under the Energy and Water Utilities Regulatory Authority (The Inquiry on Very Small Power Producer (VSSP) Tariff Review Application by Powercorner Tanzania Limited) (Government Notice No. 67 of 2020).

Notice under the Energy and Water Utilities Regulatory Authority (The Inquiry on Very Small Power Producer (VSSP) Tariff Review Application by Husk Power System) (Government Notice No. 68 of 2020).

Notice under the Energy and Water Utilities Regulatory Authority (The Inquiry on Very Small Power Producer (VSSP) Tariff Review Application by Redavia Tanzania Asset Limited) (Government Notice No. 69 of 2020).

Notice under the Water Supply and Sanitation (Mwanza Urban Water Supply and Sanitation Authority) (Extension of Service Area and Dis-Establishment) (Government Notice No. 70 of 2020).

Notice under the Water Supply and Sanitation (Dar es Salaam Water Supply and Sanitation Authority) (Extension of Service Area and Dis-Establishment) (Government Notice No. 71 of 2020).

Notice under the Water Supply and Sanitation (Kahama Water Supply and Sanitation Authority) (Extension of Service Area) (Government Notice No. 72 of 2020).

TAARIFA YA KAWAIDA NA. 78

KUPOTEAKWA HATI YA KUMILIKI ARDHI

Sheria ya Uandikishaji wa Ardhi
(Sura 334)

Hati Nambari: 35657.

Mmiliki aliyeandikishwa: REHEMA KINDAMBA.

Ardhi: Kiwanja Namba 18 Kitalu 'A' Kigamboni Jijini Dar es Salaam.

Mwombaji: REHEMA KINDAMBA WA S. L. P. 9502 DAR ES SALAAM.

TAARIFA IMETOLEWA kwamba Hati ya kumiliki ardhi iliyotajwa hapo juu imepotea na ninakusudia kutoa Hati mpya badala yake iwapo hakuna kipingamizi kwa muda wa mwezi mmoja tokea tarehe ya taarifa hii itakapotangazwa katika Gazeti la Serikali.

HATI YA ASILI ikionekana, irudishwe kwa Msajili wa Hati, S. L. P. 1191, Dar es Salaam.

Dar es Salaam,
27 Januari, 2020

JOANITHA KAZINJA,
Mhajili wa Hati Msaidizi

TAARIFA YA KAWAIDA NA. 79

KUPOTEA KWA HATI YA KUMILIKI ARDHI
Sheria ya Uandikishaji wa Ardhi
(Sura 334)

Hati Nambari: 65794.

Mmiliki aliyeandikishwa: FARAJA JOACHIM KIHONGOLE.
Ardhi: Kiwanja Na. 79 Kitalu Na. 3, Mtoni Kijichi, Manispaa ya Temeke.

Muombaji: FARAJA JOACHIM KIHONGOLE WA S. L. P. 79785,
DAR ES SALAAM.

TAARIFA IMETOLEWA kwamba Hati ya kumiliki ardhi iliyotajwa hapo juu imepotea na ninakusudia kutoa Hati mpya badala yake iwapo hakuna kipingamizi kwa muda wa mwezi mmoja tokea tarehe ya taarifa hii itakapotangazwa katika Gazeti la Serikali.

HATI YA ASILI ikionekana, irudishwe kwa Msajili wa Hati, S. L. P. 1191, Dar es Salaam.

Dar es Salaam,
21 Januari, 2020

JOANITHA KAZINJA,
Mhajili wa Hati Msaidizi

TAARIFA YA KAWAIDA NA. 80

KUPOTEA KWA HATI YA KUMILIKI ARDHI
Sheria ya Uandikishaji wa Ardhi
(Sura 334)

Hati Nambari: 28953 LR Mwanza.

Mmiliki aliyeandikishwa: ANNA AYUB KIWELE WA S. L. P. 4 MASWA, SHINYANGA.

Ardhi: L. O. No. 198741 Kiwanja Namba 356 Kitalu 'EE' Ujazo wa Juu, Ngokolo, Manispaa ya Shinyanga.

Muombaji: ZAWADI GEOFFREY KIWELE WA S. L. P. 22 SHINYANGA, MSIMAMIZI WA MIRATHI YA MAREHEMY ANNA AYUB KIWELE.

TAARIFA IMETOLEWA kwamba Hati ya kumiliki ardhi iliyotajwa hapo juu imepotea na ninakusudia kutoa Hati mpya badala yake iwapo hakuna kipingamizi kwa muda wa mwezi mmoja tokea tarehe ya taarifa hii itakapotangazwa katika Gazeti la Serikali.

HATI YA ASILI ikionekana, irudishwe kwa Msajili wa Hati, S. L. P. 390, Bariadi.

Bariadi,
4 Novemba, 2019

BWIJO MOHAMED,
Mhajili wa Hati Msaidizi

TAARIFA YA KAWAIDA NA. 81

KUPOTEA KWA LESENI YA MAKAZI
Sheria ya Uandikishaji wa Ardhi
(Sura 117)

Namba ya Leseni: KND013973.

Mmiliki: BUKHITE SALUM ALJABRI.

Namba ya Kiwanja: KND/NGB/MPA14/41.

Mwombaji: HALMASHAURI YA MANISPAA YA KINONDONI.

TAARIFA INATOLEWA kwamba Leseni ya Makazi iliyotajwa hapo juu imepotea na ninakusudia kutoa Leseni ya Makazi mpya badala yake, iwapo hakuna pingamizi kwa muda wa mwezi mmoja tokea tarehe ya taarifa hii itakapotangazwa katika Gazeti la Serikali.

LESENI YA MAKAZI YA ASILI ikionekana irudishwe kwa Afisa Mteule - Leseni za Makazi S. L. P. 31902, Kinondoni, Dar es Salaam.

FARIDA CHAMBULILO,
Afisa Msajili - Leseni za Makazi
Halmashauri ya Manispaa ya Kinondoni

TAARIFA YA KAWAIDA NA. 82

ILANI YAKUHAMISHA JINA LA MMILIKI WA
KIPANDE CHAARDHI
Sheria ya Ardhi Namba 4 ya mwaka 1999

Jina lililoandikishwa: LUCAS NCHEWA MUMBA.

Namba ya Kiwanja: TMK/MBGK/MBK30/128.

Anayeomba: SALAMA ABDU OMARY.

ILANI INATOLEWA kwamba nyumba iliyopo kwenye kipande cha ardhi kilichotajwa hapo juu ilikuwa inamilikiwa na ndugu LUCAS NCHEWA MUMBA. Nyaraka za uhamishaji hazikuandaliwa kwa utaratibu unaofaa baada ya mauziano.

Hivyo nakusudia kuhamisha jina la LUCAS NCHEWA MUMBA kwenye kumbukumbu za umiliki wa kipande hicho cha ardhi na kuandika jina la SALAMA ABDU OMARY wa Dar es Salaam baada ya kununua kiwanja hicho.

TAARIFA INATOLEWA kwako ndani ya siku ishirini na nane (28) kuanzia tarehe ya ilani hii na endapo hakuna pingamizi lo lote tutaendelea na umilikishaji/uhamisho wa miliki hii.

E. R. PALLANGYO,
Mhajili Msaidizi wa Nyaraka
Manispaa ya Temeke

TAARIFA YA KAWAIDA NA. 83

KAMPUNI INAYOTARAJIWA KUFUTWA KATIKA
DAFTARI LA MAKAMPUNI
Sheria ya Makampuni
(NA. 12 YA 2002)

Inatolewa ilani chini ya kifungu cha 400(3) cha Sheria ya Makampuni kwamba Kampuni ifuatayo itafutwa katika Daftari la Makampuni iwapo hakutatokea kipingamizi cho chote baada ya siku 90 kupita tokea tarehe ya ilani hii.

SILYAP GROUP LIMITED

S. KASERA,
Msaajili Msaidizi Mkuu wa Makampuni

TAARIFA YA KAWAIDA NA. 84

KAMPUNI INAYOTARAJIWA KUFUTWA KATIKA
DAFTARI LA MAKAMPUNI
Sheria ya Makampuni
(NA. 12 YA 2002)

Inatolewa ilani chini ya kifungu cha 400(3) cha Sheria ya Makampuni kwamba Kampuni ifuatayo itafutwa katika Daftari la Makampuni iwapo hakutatokea kipingamizi cho chote baada ya siku 90 kupita tokea tarehe ya ilani hii.

AFRITRACK LIMITED

S. KASERA,
Msaajili Msaidizi Mkuu wa Makampuni

TAARIFA YA KAWAIDA NA. 85

KAMPUNI INAYOTARAJIWA KUFUTWA KATIKA
DAFTARI LA MAKAMPUNI
Sheria ya Makampuni
(NA. 12 YA 2002)

Inatolewa ilani chini ya kifungu cha 400(3) cha Sheria ya Makampuni kwamba Kampuni ifuatayo itafutwa katika Daftari la Makampuni iwapo hakutatokea kipingamizi cho chote baada ya siku 90 kupita tokea tarehe ya ilani hii.

TANZANIA PROTEINS CORPORATION LIMITED

S. KASERA,
Msaajili Msaidizi Mkuu wa Makampuni

TAARIFA YA KAWAIDA NA. 86

KAMPUNI INAYOTARAJIWA KUFUTWA KATIKA
DAFTARI LA MAKAMPUNI
Sheria ya Makampuni
(NA. 12 YA 2002)

Inatolewa ilani chini ya kifungu cha 400(3) cha Sheria ya Makampuni kwamba Kampuni ifuatayo itafutwa katika Daftari la Makampuni iwapo hakutatokea kipingamizi cho chote baada ya siku 90 kupita tokea tarehe ya ilani hii.

TLA COMMUNICATION LIMITED

S. KASERA,
Msaajili Msaidizi Mkuu wa Makampuni

TAARIFA YA KAWAIDA NA. 87

KAMPUNI INAYOTARAJIWA KUFUTWA KATIKA
DAFTARI LA MAKAMPUNI
Sheria ya Makampuni
(NA. 12 YA 2002)

Inatolewa ilani chini ya kifungu cha 400(3) cha Sheria ya Makampuni kwamba Kampuni ifuatayo itafutwa katika Daftari la Makampuni iwapo hakutatokea kipingamizi cho chote baada ya siku 90 kupita tokea tarehe ya ilani hii.

KING NYANDA PRODUCTION LIMITED

S. KASERA,
Msaajili Msaidizi Mkuu wa Makampuni

TAARIFA YA KAWAIDA NA. 88

KAMPUNI ILIYOFUTWA KATIKA DAFTARI LA
MAKAMPUNI
Sheria ya Makampuni
(NA. 12 YA 2002)

Inatolewa ilani chini ya kifungu cha 400(5) cha Sheria ya Makampuni kwamba Kampuni ifuatayo imefutwa katika Daftari la Makampuni tokea tarehe ya ilani hii.

ELITE ART OF AFRICA CALLERY LIMITED

S. KASERA,
Msaajili Msaidizi Mkuu wa Makampuni

TAARIFA YA KAWAIDA NA. 89

KAMPUNI ILIYOFUTWA KATIKA DAFTARI LA
MAKAMPUNI
Sheria ya Makampuni
(NA. 12 YA 2002)

Inatolewa ilani chini ya kifungu cha 400(5) cha Sheria ya Makampuni kwamba Kampuni ifuatayo imefutwa katika Daftari la Makampuni tokea tarehe ya ilani hii.

RUDI HOLDINGS LIMITED

S. KASERA,
Msjili Msaidizi Mkuu wa Makampuni

TAARIFA YA KAWAIDA NA. 90

KAMPUNI ILIFUTWA KATIKA DAFTARI LA
MAKAMPUNI
Sheria ya Makampuni
(NA. 12 YA 2002)

Inatolewa ilani chini ya kifungu cha 400(5) cha Sheria ya Makampuni kwamba Kampuni ifuatayo imefutwa katika Daftari la Makampuni tokea tarehe ya ilani hii.

BEDO COMPANY LIMITED

S. KASERA,
Msjili Msaidizi Mkuu wa Makampuni

TAARIFA YA KAWAIDA NA. 91

TANGAZO LA KUFUNGWA KAMPUNI

WINDING UP BY VOLUNTARILY MAGRETH
SCHOOLS (T) LIMITED
(The Companies Act No. 12 of 2002)

Katika kikao cha Wakurugenzi wa Kampuni ya **Magreth Schools (T) Limited** kilichofanyika tarehe 8 Januari, 2020 iliamuliwa Kampuni ya **Magreth Schools (T) Limited** zifungwe shughuli zake Kisheria. Na kwamba shughuli zote zilizokuwa zikiendeshwa na Kampuni hiyo tajwa hapo juu zitahamishiwa kwenye Kampuni ya **The Amazon Colleges Tanzania Limited**.

Aidha Bodi ya Wakurugenzi wa Kampuni ya **Magreth Schools (T) Limited** imemteua Msimamizi atakayehusika na ye yote mwenye madai dhidi ya Kampuni ambaye anuani yake ni:-

UBAIDI G. HAMIDU (ADVOCATE),
LJ Advocates,
Lumumba/Amani Street, Kariakoo,
P. O. Box 72382, Dar es Salaam,
Mob: 0755 317060, 0685 26844.

Kwa ye yote mwenye madai dhidi ya Kampuni inayofungwa anaweza kuwasiliana naye siku za kazi kuanzia saa 2:30 asubuhi hadi saa 10:00.

Limetolewa leo tarehe 24 Januari, 2020.

EMMANUEL KAYOMBO,
Mkurugenzi Mtendaji

TAARIFA YA KAWAIDA NA. 92

C. R. No. 140139645

THE SPECIAL RESOLUTION OF SKY DRILLING
TANZANIA LIMITED

PASSED ON THE 14TH DAY OF JANUARY, 2020 IN THE
REGISTERED OFFICES OF THE COMPANY SITUATED
AT MWANZA

Pursuant to the Articles of association of the company.

We, the undersigned being the Directors and Shareholders of **Sky Drilling Tanzania Limited**, entitled to receive Notice of Board meetings. DO HEREBY CERTIFY THAT we have consented to the following Resolutions:

1. That the nominal capital of Sky Drilling Tanzania Limited be reduced to TZS 100,000,000/= (Tanzanian Shillings One Hundred Million only) from the registered nominal capital of TZS 1,000,000,000/= (Tanzanian Shillings One Billion).
2. That the number of shares be reduced to 1000 ordinary shares from the registered 100,000 ordinary shares.
3. That the value of each share be increased to TZS 100,000/=.
4. That the Memorandum and Articles of Association be altered by reducing the amount of the share capital and increasing the value of the shares accordingly.
5. That all changes be notified to the Registrar of Companies.
6. Certified by:
 1. **Shareholder/Director:**
Name: SHEDRACK LUCA SHAFTE,
Signature:
Dated: 24TH JANUARY, 2020.
 2. **Shareholder/Director:**
Name: AHMED ABOUZIED RASHWANE MOHEMMED,
Signature:
Dated: 24TH JANUARY, 2020.

TAARIFA YA KAWAIDA NA. 93

AMJUMAS GROUP LIMITED

SPECIAL RESOLUTION PURSUANT TO SECTION 333(1) OF THE COMPANIES ACT NO. 12 OF 2002 AND ARTICLES 14 OF THE ABOVE NAMED COMPANY'S ARTICLES OF ASSOCIATION

We, the undersigned being all the Directors of the Company for the time being, do hereby consent to the following resolution in lieu of a Board meeting which was held on 5th day of January, 2020 at Dar es Salaam.

1. The Board of director approved that in cannot by reason of its liabilities continue its business, and that it is advisable to wind up. AND WHEREAS the board of director resolved further that **Mr. ABBAS MOHAMED JUMA** be and his hereby appointed as the liquidator for purposes of wind up of this company.
2. The Board resolved further that the said liquidator be and is hereby authorized do all Act and things and to exercise all such power as provided by Companies Act.

CERTIFIED TRUE EXTRACT

(By Order of the Board signed in presence of full quorum of the Board)

ABBAS MOHAMED JUMA
Chairman

ALLY MOHAMED JUMA
Secretary

TAARIFA YA KAWAIDA NA. 94

RESOLUTION OF MEMBERS FOR VOLUNTARY
WINDING UP
COMPANY NO. 126188

An Extra Ordinary Meeting of the Board of Members of **Has Infrastructures Limited** held at Dar es Salaam on the 6th December, 2019

Meeting of the Company duly convened and held at the Registered Office of the Company resolved as follows:

1. The Board of Members has resolved that **Has Infrastructures Limited** to be wound up due to failure in operating the business it was registered for.

It so resolved.

CERTIFIED AS THE TRUE RESOLUTION OF
MEMBERS VOLUNTARY WINDING UP

ALEX JEREMIAS KOBALYEMBA,
Chairman of Members

TAARIFA YA KAWAIDA NA. 95

RESOLUTION OF MEMBERS FOR VOLUNTARY
WINDING UP
COMPANY NO. 114956

An Extra Ordinary Meeting of the Board of Members of **Premier Project Solutions Limited** held at Dar es Salaam on the 6th December, 2019

Meeting of the Company duly convened and held at the Registered Office of the Company resolved as follows:

1. The Board of Members has resolved that **Premier Project Solutions Limited** to be wound up due to failure in operating the business it was registered for.

It so resolved.

CERTIFIED AS THE TRUE RESOLUTION OF
MEMBERS VOLUNTARY WINDING UP

ALEX JEREMIAS KOBALYEMBA,
Chairman of Members

TAARIFA YA KAWAIDA NA. 96

RESOLUTION OF MEMBERS FOR VOLUNTARY
WINDING UP
COMPANY NO. 59281

An Extra Ordinary Meeting of the Board of Members of **Tanzania Premier Brands Limited** held at Dar es Salaam on the 6th December, 2019

Meeting of the Company duly convened and held at the Registered Office of the Company resolved as follows:

1. The Board of Members has resolved that **Tanzania Premier Brands Limited** to be wound up due to failure in operating the business it was registered for.

It so resolved.

CERTIFIED AS THE TRUE RESOLUTION OF
MEMBERS VOLUNTARY WINDING UP

ALEX JEREMIAS KOBALYEMBA,
Chairman of Members

TAARIFA YA KAWAIDA NA. 97

PUBLIC ANOUNCEMENT TO WIND UP THE
COMPANY

The Shareholders of **Amjumas Group Limited** incorporated on 21st day of July, 2017 with incorporation Number **128003** in Accordance with the Companies Law has decided to wind up the company voluntarily so as to cease existence of the company and to dissolve all operation of the Company completely.

TAARIFA YA KAWAIDA NA. 98

NOTICE OF THE PUBLIC

THE WINDING UP OF THE LUSEKO BUREAU DE
CHANGE COMPANY LIMITED
COMPANY NO. 75370MEMBERS' VOLUNTARY WINDING UP OF THE
COMPANY
COMPANIES ACT NO. 12 OF 2002
SECTION 334(1)

Notice is hereby given to the general public that on the 21st December, 2019 the members of **Luseko Bureau De Change Company Limited** ("the Company") at an extraordinary general meeting duly convened and held at the Company's registered office passed the following resolution:

1. That, the company be wound up voluntary in accordance with the Laws and procedures of the Companies Act, 2002.
2. That, **PRACKSEDA PHILIP MARMO of National Attorneys, P. O. Box 2550, Dodoma, Tanzania** be and hereby appointed as liquidator for the purposes of such winding up of the Company pursuant to this resolution.
3. That, the above resolution is without reservation and with immediate effect.

We, understand and hereby certify the foregoing to be true and bona fide extract of the deliberation and resolution passed by the shareholders of the Company on 21st December, 2019.

Signature:,

Name: EVA HENDRY MNYAMVUMI,

Designation: CHAIRMAN.

TAARIFA YA KAWAIDA NA. 99

IN THE MATTER OF THE COMPANY ACT OF 2002
AND
IN THE MATTER OF VOLUNTARILY WIND UP OF
AMJUMAS GROUP LIMITEDADVERTISEMENT OF VOLUNTARY WIND UP
Under section 334 of the Companies Act
(CAP. 12 OF 2002)

Notice is hereby given that the Board of Directors and the Shareholders of **Amjumas Group Limited** have passed Special Resolution for a voluntary winding up of the above named company on 05th day of January, 2020.

Any creditor, debtor or contributory of the said company desirous to support or oppose the voluntary winding up may right to the undersigned proving their claim or opposition or support.

.....
Signed

ABBAS MOHAMED JUMA,
Liquidator,
P. O. Box 36205,
Dar es Salaam.

NOTE:

Any person who is a creditor should send his claim and its affidavit of proof and serve on or send by post to the above named person, notece in writing of intention to do so. The notice must state the name and address of the person or, if a firm, the name and address of the firm, and must be signed by the person or the firm, or his or their Advocate (if any) and must be served, or posted must be sent by post in sufficient time to reach the above named not later than 3.30 o'clock in the afternoon of the 21st day of February, 2020.

TAARIFA YA KAWAIDA NA. 100

ORODHA YA MAJINA YA WAKAGUZI WA MAGARI NA WATAHINI WA MADEREVA
(VEHICLE INSPECTION AND DRIVER EXAMINER)

NA.	JINA NA CHEO	FANI ALIYOSOMEA	KIWANGO	CHUO ALICHOSOMEA
1.	WP 7660 PC ELIFURAH ROSIAELAKYOO	VEHICLE INSPECTION AND DRIVER EXAMINER	CHETI	NIT
2.	F. 5774 CPL FAUSTINE PETER LULU	VEHICLE INSPECTION AND DRIVER EXAMINER	CHETI	NIT
3.	G. 2065 PC ALLY RAMADHANI MAIDAKU	VEHICLE INSPECTION AND DRIVER EXAMINER	CHETI	NIT
4.	G. 5952 PC GEOFFREY JOHN ANTHONY	VEHICLE INSPECTION AND DRIVER EXAMINER	CHETI	NIT
5.	H. 3917 PC MOHAMED SAID MOHAMED	VEHICLE INSPECTION AND DRIVER EXAMINER	CHETI	NIT

TAARIFA YA KAWAIDA NA. 101

WIZARA YA MAJI
BODI YA MAJI BONDE LA RUFJI

MAOMBI YA VIBALI VYA KUTUMIA MAJI
Sheria ya Usimamizi wa Rasilimali za Maji
(ACT No. 11 OF 2009)

Inatangaza kwamba vibali vya matumizi ya maji kwa maombi yaliyoorodheshwa hapo chini vinatengenezwa. Kwa ye yote anayefikiria kwamba anaweza kudhurika baada ya kutolewa vibali hivi ama ye yote mwenye pingamizi anayo nafasi kufanya hivyo kulingana na vifungu vya Amri (Kawaida) vya Maji vya mwaka 2010 (Water Utilization (General Regulations)).

Pingamizi na maelezo ya namna hiyo pamoja na sababu zake kamili, lazima zimfikie Afisa wa Maji wa Bonde la Rufiji ndani ya siku arobaini kuanzia tarehe ya kutangazwa kwa taarifa hii katika Gazeti la Serikali.

1. Ombi Na. RBWB2096

Muombaji : Joseph Kaitan Mbungani
Kiasi : 69,120 kwa siku
Chanzo : Mto Little Ruaha
Matumizi : Umwagiliaji Hekta 0.8
Kijiji : Itunundu
Wilaya : Iringa Vijijini

2. Ombi Na. RBWB2094

Muombaji : Fidelis Clement Mkiva
Kiasi : 69,120 kwa siku

Chanzo : Mto Little Ruaha
Matumizi : Umwagiliaji Hekta 0.8
Kijiji : Itunundu
Wilaya : Iringa Vijijini

3. Ombi Na. RBWB2104

Muombaji : Majaliwa Hamis Luvanga
Kiasi : 34,560 lita kwa siku
Chanzo : Mto Little Ruaha
Matumizi : Umwagiliaji Hekta 0.4
Kijiji : Kimande
Wilaya : Iringa Vijijini

4. Ombi Na. RBWB2101

Muombaji : Halfani Sehemu Mgulwa
Kiasi : 69,120 lita kwa siku
Chanzo : Mto Little Ruaha
Matumizi : Umwagiliaji Hekta 0.8
Kijiji : Mbuyuni
Wilaya : Iringa Vijijini

5. Ombi Na. RBWB2099

Muombaji : Florianus Juventus Kyaruzi
Kiasi : 51,840 lita kwa siku
Chanzo : Mto Little Ruaha
Matumizi : Umwagiliaji Hekta 0.6
Kijiji : Mbuyuni
Wilaya : Iringa Vijijini

6. Ombi Na. RBWB2098

Muombaji : Joseph Josephat Nkinga
Kiasi : 69,120 lita kwa siku
Chanzo : Mto Little Ruaha

Matumizi : Umwagiliaji Hekta 0.8
Kijiji : Kimande
Wilaya : Iringa Vijijini

7. Ombi Na. RBWB2097

Muombaji : Dismas Joel Ntulo
Kiasi : 34,560 lita kwa siku
Chanzo : Mto Little Ruaha
Matumizi : Umwagiliaji Hekta 0.4
Kijiji : Itunundu
Wilaya : Iringa Vijijini

8. Ombi Na. RBWB2095

Muombaji : Rymond Ngaloweka
Kiasi : 69,120 lita kwa siku
Chanzo : Mto Little Ruaha
Matumizi : Umwagiliaji Hekta 0.8
Kijiji : Itunundu
Wilaya : Iringa Vijijini

9. Ombi Na. RBWB2109

Muombaji : Ajune Rashid Kalesi
Kiasi : 86,400 lita kwa siku
Chanzo : Mto Little Ruaha
Matumizi : Umwagiliaji Hekta 1.0
Kijiji : Mbuyuni
Wilaya : Iringa Vijijini

10. Ombi Na. RBWB2093

Muombaji : Felix Mwiwula
Kiasi : 69,120 lita kwa siku
Chanzo : Mto Little Ruaha
Matumizi : Umwagiliaji Hekta 0.8
Kijiji : Itunundu
Wilaya : Iringa Vijijini

11. Ombi Na. RBWB2092

Muombaji : Twaha Mlula
Kiasi : 69,120 lita kwa siku
Chanzo : Mto Little Ruaha
Matumizi : Umwagiliaji Hekta 0.8
Kijiji : Itunundu
Wilaya : Iringa Vijijini

12. Ombi Na. RBWB2091

Muombaji : Alex Mwilapwa
Kiasi : 17,280 lita kwa siku
Chanzo : Mto Little Ruaha
Matumizi : Umwagiliaji Hekta 0.2
Kijiji : Itunundu
Wilaya : Iringa Vijijini

13. Ombi Na. RBWB2090

Muombaji : Yusufu Kabalasa
Kiasi : 69,120 lita kwa siku
Chanzo : Mto Little Ruaha
Matumizi : Umwagiliaji Hekta 0.8
Kijiji : Itunundu
Wilaya : Iringa Vijijini

14. Ombi Na. RBWB2089

Muombaji : Boaz O. Mahundu
Kiasi : 51,840 lita kwa siku
Chanzo : Mto Little Ruaha
Matumizi : Umwagiliaji Hekta 0.6
Kijiji : Itunundu
Wilaya : Iringa Vijijini

15. Ombi Na. RBWB2087

Muombaji : Lunga Mabula
Kiasi : 86,400 lita kwa siku
Chanzo : Mto Little Ruaha
Matumizi : Umwagiliaji Hekta 1.0
Kijiji : Mbuyuni
Wilaya : Iringa Vijijini

16. Ombi Na. RBWB2086

Muombaji : Athanas C. Kaila
Kiasi : 69,120 lita kwa siku
Chanzo : Mto Little Ruaha
Matumizi : Umwagiliaji Hekta 0.8
Kijiji : Mbuyuni

17. Ombi Na. RBWB2085

Muombaji : Abdullah Ally Tago
Kiasi : 69,120 lita kwa siku
Chanzo : Mto Little Ruaha
Matumizi : Umwagiliaji Hekta 0.8
Kijiji : Mbuyuni

18. Ombi Na. RBWB2084

Muombaji : Rashid Mlangaliza Njali
Kiasi : 69,120 lita kwa siku
Chanzo : Mto Little Ruaha
Matumizi : Umwagiliaji Hekta 0.8
Kijiji : Mbuyuni

19. Ombi Na. RBWB2108

Muombaji : Aron John Mgunda
Kiasi : 86,000 lita kwa siku
Chanzo : Mto Mwege
Matumizi : Umwagiliaji Hekta 1
Kijiji : Malolo B
Wilaya : Kilosa

20. Ombi Na. RBWB2114

Muombaji : Omary Hassan Kahawi
Kiasi : 86,000 lita kwa siku
Chanzo : Mto Mwege
Matumizi : Umwagiliaji Hekta 1
Kijiji : Malolo B
Wilaya : Kilosa

21. Ombi Na. RBWB2115

Muombaji : George Mohamed Kikungwe
Kiasi : 86,000 lita kwa siku
Chanzo : Mto Mwege
Matumizi : Umwagiliaji Hekta 1
Kijiji : Malolo B
Wilaya : Kilosa

22. Ombi Na. RBWB2116

Muombaji : Godlove Aloyce Uromi
Kiasi : 86,000 lita kwa siku
Chanzo : Mto Great Ruaha
Matumizi : Umwagiliaji Hekta 1
Kijiji : Malolo B
Wilaya : Kilosa

Ombi Na. RBWB2117

Muombaji : Mussa Mohamed Chambo
Kiasi : 129,600 lita kwa siku
Chanzo : Mto Great Ruaha
Matumizi : Umwagiliaji Hekta 1.5
Kijiji : Msosa
Wilaya : Kilosa

23. Ombi Na. RBWB2118

Muombaji : Aron Ringo
Kiasi : 259,200 lita kwa siku
Chanzo : Mto Mwege
Matumizi : Umwagiliaji Hekta 2
Kijiji : Malolo B
Wilaya : Kilosa

24. Ombi Na. RBWB2120

Muombaji : Crispin Paul Mizambwa
Kiasi : 259,200 lita kwa siku
Chanzo : Mto Mwege
Matumizi : Umwagiliaji Hekta 2
Kijiji : Malolo B
Wilaya : Kilosa

25. Ombi Na. RBWB2121

Muombaji : Crispin Paul Mizambwa
Kiasi : 388,300 lita kwa siku
Chanzo : Mto Mwege
Matumizi : Umwagiliaji Hekta 3
Kijiji : Malolo B
Wilaya : Kilosa

26. Ombi Na. RBWB2119

Muombaji : Mhidini Moshi Nzigilwa
Kiasi : 129,600 lita kwa siku
Chanzo : Mto Likosi
Matumizi : Umwagiliaji Hekta 1.5
Kijiji : Ruaha Mbuyuni
Wilaya : Kilolo

27. Ombi Na. RBWB2113

Muombaji : Juma Athuman Shaban
Kiasi : 172,800 lita kwa siku
Chanzo : Mto Likosi
Matumizi : Umwagiliaji Hekta 2
Kijiji : Ruaha Mbuyuni
Wilaya : Kilolo

28. Ombi Na. RBWB2112

Muombaji : Isaya Nyaulingo
Kiasi : 388,800 lita kwa siku

Chanzo : Mto Likosi
Matumizi : Umwagiliaji Hekta 3
Kijiji : Ruaha Mbuyuni
Wilaya : Kilolo

29. Ombi Na. RBWB2111

Muombaji : Hussien Juma Kidole
Kiasi : 518,400 lita kwa siku
Chanzo : Mto Likosi
Matumizi : Umwagiliaji Hekta 2
Kijiji : Ruaha Mbuyuni
Wilaya : Kilolo

30. Ombi Na. RBWB2110

Muombaji : Mohamed Rajabu Matinya
Kiasi : 129,600 lita kwa siku
Chanzo : Mto Great Ruaha
Matumizi : Umwagiliaji Hekta 1
Kijiji : Ruaha Mbuyuni
Wilaya : Kilolo

31. Ombi Na. RBWB2109

Muombaji : Amos Zakaria Luhwengo
Kiasi : 129,600 lita kwa siku
Chanzo : Mto Mwege
Matumizi : Umwagiliaji Hekta 2
Kijiji : Wazaganza
Wilaya : Mpwapwa

32. Ombi Na. RBWB2122

Muombaji : Zera Abdalla Kuwe
Kiasi : 172,800 lita kwa siku
Chanzo : Mto Great Ruaha
Matumizi : Umwagiliaji Hekta 2
Kijiji : Idodoma
Wilaya : Mpwapwa

33. Ombi Na. RBWB2069

Muombaji : Kilolo Urban Water Supply Authority
Kiasi : 328,300 lita kwa siku
Chanzo : Chemchem ya Kiswengele (Iulanza)
Matumizi : Matumizi ya Mji wa Kilolo
Kijiji : Luganga
Wilaya : Kilolo

34. Ombi Na. RBWB2070

Muombaji : Kilolo Urban Water Supply Authority
Kiasi : 392,000 lita kwa siku
Chanzo : Kijito cha Stationi (Iusinga)
Matumizi : Matumizi ya Mji wa Kilolo
Kijiji : Luganga
Wilaya : Kilolo

35. Ombi Na. RBWB2053

Muombaji : Mr. Anton Kipeleka
Kiasi : 5,200 lita kwa siku

<i>Chanzo</i> :	Kisima	<i>Kijiji</i> :	Igambola
<i>Matumizi</i> :	Matumizi ya Biashara (Mandela Guest House)	<i>Wilaya</i> :	Njombe
<i>Kijiji</i> :	Mbingu		
<i>Wilaya</i> :	Kilombero		
36. Ombi Na. RBWB2068		42. Ombi Na. RBWB2005	
<i>Muombaji</i> :	Njombe Urban Water Supply Authority	<i>Muombaji</i> :	Furahisha F. Msigwa
<i>Kiasi</i> :	432,000 lita kwa siku	<i>Kiasi</i> :	5,000 lita kwa siku
<i>Chanzo</i> :	Chemchem ya Howard	<i>Chanzo</i> :	Kisima
<i>Matumizi</i> :	Matumizi ya Mji wa Njombe	<i>Matumizi</i> :	Matumizi ya Biashara
<i>Kijiji</i> :	Kibena	<i>Kijiji</i> :	Kinanyambo B
<i>Wilaya</i> :	Njombe	<i>Wilaya</i> :	Mufindi
37. Ombi Na. RBWB2055		43. Ombi Na. RBWB2050	
<i>Muombaji</i> :	Namtumbo Urban Water Supply and Sanitation Authority	<i>Muombaji</i> :	Godwill Simon Manyaki
<i>Kiasi</i> :	1,220,000 lita kwa siku	<i>Kiasi</i> :	-
<i>Chanzo</i> :	Kijito cha Libango	<i>Chanzo</i> :	Bwawa
<i>Matumizi</i> :	Matumizi ya nyumbani ya Mji wa Njombe	<i>Matumizi</i> :	Kilimo cha Samaki
<i>Kijiji</i> :	Libango	<i>Kijiji</i> :	Mavimba
<i>Wilaya</i> :	Njombe	<i>Wilaya</i> :	Ulanga
38. Ombi Na. RBWB2061		44. Ombi Na. RBWB2051	
<i>Muombaji</i> :	Olesco Food Products	<i>Muombaji</i> :	Godwill Simon Manyaki
<i>Kiasi</i> :	15,000 lita kwa siku	<i>Kiasi</i> :	-
<i>Chanzo</i> :	Kisima	<i>Chanzo</i> :	Bwawa
<i>Matumizi</i> :	Matumizi ya kiwanda	<i>Matumizi</i> :	Kilimo cha Samaki
<i>Kijiji</i> :	Nundu	<i>Kijiji</i> :	Mavimba
<i>Wilaya</i> :	Njombe Mji	<i>Wilaya</i> :	Ulanga
39. Ombi Na. RBWB2034		45. Ombi Na. RBWB2075	
<i>Muombaji</i> :	Kikundi cha Uchimbaji Madini Ujamaa Group-IGOMAA	<i>Muombaji</i> :	Wanging'ombe Water Supply and Sanitation Authority
<i>Kiasi</i> :	1,500 lita kwa siku	<i>Kiasi</i> :	720,000 lita kwa siku
<i>Chanzo</i> :	Kijito cha Lwanyato	<i>Chanzo</i> :	Chemchem ya Mtitu
<i>Matumizi</i> :	Shughuli za madini	<i>Matumizi</i> :	Matumizi ya nyumbani (Wanging'ombe)
<i>Kijiji</i> :	Igomaa	<i>Kijiji</i> :	Mlevela
<i>Wilaya</i> :	Mufindi	<i>Wilaya</i> :	Njombe
40. Ombi Na. RBWB2013		46. Ombi Na. RBWB2074	
<i>Muombaji</i> :	Njombe Outgrowers Service Co. Ltd	<i>Muombaji</i> :	Wanging'ombe Water Supply and Sanitation Authority
<i>Kiasi</i> :	106,230 lita kwa siku	<i>Kiasi</i> :	5,592,000 lita kwa siku
<i>Chanzo</i> :	Kijito cha Idohole	<i>Chanzo</i> :	Chemchem ya Mtitu
<i>Matumizi</i> :	Umwagiliaji wa Hekta 0.8	<i>Matumizi</i> :	Matumizi ya nyumbani (Wanging'ombe)
<i>Kijiji</i> :	Utengule	<i>Kijiji</i> :	Imalinyi
<i>Wilaya</i> :	Njombe	<i>Wilaya</i> :	Njombe
41. Ombi Na. RBWB2059		47. Ombi Na. RBWB1999	
<i>Muombaji</i> :	Lupembe Tea Estate	<i>Muombaji</i> :	Mufindi Spring Water
<i>Kiasi</i> :	10,000 lita kwa siku	<i>Kiasi</i> :	10,000 lita kwa siku
<i>Chanzo</i> :	Chemchem ya Igombola	<i>Chanzo</i> :	Kisima
<i>Matumizi</i> :	Matumizi ya Jamii	<i>Matumizi</i> :	Matumizi ya kiwanda cha maji
		<i>Kijiji</i> :	Kihanga
		<i>Wilaya</i> :	Mufindi
		48. Ombi Na. RBWB2055	
		<i>Muombaji</i> :	Namtumbo Urban Water Supply & Sanitation Authority

Kiasi : 1,200,000 lita kwa siku
Chanzo : Libango Stream
Matumizi : Matumizi ya maji ya nyumbani ya mjini
Kijiji : Libango
Wilaya : Namtumbo

49. Ombi Na. RBWB2031

Muombaji : Green Valley Agro Tz LTD
Kiasi : 10,000 lita kwa siku
Chanzo : Kisima
Matumizi : Umwagiliaji
Kijiji : Tanangozi
Wilaya : Iringa Vijijini

50. Ombi Na. RBWB2081

Muombaji : Faraja House - Consolata Fathers
Kiasi : 3,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani
Kijiji : Mgongo
Wilaya : Iringa

51. Ombi Na. RBWB1993

Muombaji : East Africa Bornwood Comp. Ltd
Kiasi : 40,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya kiwandani
Kijiji : Mifugo - Luganga
Wilaya : Mufindi

52. Ombi Na. RBWB1951

Muombaji : Jefa Hezekia Duma
Kiasi : 3,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya kiwandani
Kijiji : Kidete
Wilaya : Iringa Vijijini

53. Ombi Na. RBWB1950

Muombaji : Saleh Jumanne Khamis
Kiasi : 219,360 lita kwa siku
Chanzo : Kisima
Matumizi : Umwagiliaji
Kijiji : Ihemi
Wilaya : Iringa Vijijini

54. Ombi Na. RBWB2072

Muombaji : Mwaya and Chikwela
Kiasi : 10,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani ya kijiji cha Mwaya & Chikwela
Kijiji : Mwaya/Chikwela
Wilaya : Ulanga

55. Ombi Na. RBWB2073

Muombaji : Igumbilo Village
Kiasi : 10,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani ya Kijiji cha Igumbilo
Kijiji : Igumbilo
Wilaya : Ulanga

56. Ombi Na. RBWB1914

Muombaji : Chico Company Ltd
Kiasi : 3,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya Taasisi
Kijiji : Kihorogota
Wilaya : Iringa Vijijini

57. Ombi Na. RBWB1942

Muombaji : GVA TZ Limited
Kiasi : 80,000 lita kwa siku
Chanzo : Kisima
Matumizi : Umwagiliaji
Kijiji : Tanangozi
Wilaya : Iringa Vijijini

58. Ombi Na. RBWB2019

Muombaji : M/S Darsh Industries Ltd
Kiasi : 10,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya Kiwandani
Kijiji : Mseke
Wilaya : Iringa Vijijini

59. Ombi Na. RBWB2020

Muombaji : Richard R. Mwaipungu
Kiasi : 120,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani
Kijiji : Ngongwa
Wilaya : Iringa Mjini

60. Ombi Na. RBWB2058

Muombaji : Don Bosco Seminary
Kiasi : 10,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani ya Taasisi (Don Bosco Seminary)
Kijiji : Mafinga Mjini
Wilaya : Mufindi

61. Ombi Na. RBWB2010

Muombaji : Spring Valley Secondary School
Kiasi : 5,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani ya Taasisi (Spring Valley Sec. School)

Kijiji : Don Bosco
Wilaya : Iringa

62. Ombi Na. RBWB2028

Muombaji : Pyrethrum Company of Tanzania Ltd
Kiasi : 2,592,000 lita kwa siku
Chanzo : Chemchem ya Ihano
Matumizi : Matumizi ya umwagiliaji wa Zao la Pareto
Kijiji : Ihanu
Wilaya : Mufindi

63. Ombi Na. RBWB1957

Muombaji : Nico John Rousous
Kiasi : 30,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani ya umwagiliaji
Kijiji : Nzihi
Wilaya : Iringa Vijijini

64. Ombi Na. RBWB1757

Muombaji : Salma Rajabu Mndeme
Kiasi : 25,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani
Kijiji : Nyakaungala
Wilaya : Iringa Vijijini

65. Ombi Na. RBWB1956

Muombaji : Nico John Bousous
Kiasi : 14,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani
Kijiji : Nzihi
Wilaya : Iringa Vijijini

66. Ombi Na. RBWB1991

Muombaji : Consolata Iringa Sec. School
Kiasi : 5,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani ya Taasisi
Kijiji : Mapogolo
Wilaya : Iringa Vijijini

67. Ombi Na. RBWB1956

Muombaji : Nico John Rousous
Kiasi : 14,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani
Kijiji : Nzihi
Wilaya : Iringa Vijijini

68. Ombi Na. RBWB1957

Muombaji : Nico John Rousous
Kiasi : 30,000 lita kwa siku

Chanzo : Kisima
Matumizi : Umwagiliaji, Domestic & Livestock

Kijiji : Nzihi
Wilaya : Iringa Vijijini

69. Ombi Na. RBWB1834

Muombaji : Pyrethrum Company of Tanzania Ltd
Kiasi : 10,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya umwagiliaji na kiwandani
Kijiji : Mafinga
Wilaya : Mufindi

70. Ombi Na. RBWB1996

Muombaji : Boaz Sanga - For Montana Lodge
Kiasi : 3,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani ya Biashara (Montana Ldge)
Kijiji : Mafinga
Wilaya : Mufindi

71. Ombi Na. RBWB1992

Muombaji : Scim Polytech Sec. School
Kiasi : 10,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani ya Taasisi
Kijiji : Frelimo
Wilaya : Iringa Mjini

72. Ombi Na. RBWB1925

Muombaji : Robert Manase mwakajwanga
Kiasi : 518,400 lita kwa siku
Chanzo : Kisima
Matumizi : Umwagiliaji wa Hekta 5
Kijiji : Igingilanyi
Wilaya : Iringa Mjini

73. Ombi Na. RBWB1870

Muombaji : Njombe Town Council
Kiasi : 5,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani ya Taasisi
Kijiji : Kwivaha
Wilaya : Njombe

74. Ombi Na. RBWB1871

Muombaji : Ako Group Limited
Kiasi : 10,000 lita kwa siku
Chanzo : Kisima
Matumizi : Umwagiliaji
Kijiji : Luganga
Wilaya : Kilolo

75. Ombi Na. RBWB1952

Muombaji : Saint Dominic Savio-Kigonzi
Kiasi : 5,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani ya Taasisi
Kijiji : Kigonzi
Wilaya : Iringa Mjini

76. Ombi Na. RBWB1953

Muombaji : Olivado Tanzania Limited
Kiasi : 5,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya kiwandani
Kijiji : Itulahmba
Wilaya : Njombe

77. Ombi Na. RBWB2097

Muombaji : Mr. Erick Mkemwa
Kiasi : 3,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani
Kijiji : Ilula Mtua
Wilaya : Kilolo

78. Ombi Na. RBWB2083

Muombaji : Gabriel Benedict Fume
Kiasi : 5,000 lita kwa siku
Chanzo : Kisima
Matumizi : Umwagiliaji
Kijiji : Makwava-Muwimbi
Wilaya : Iringa

79. Ombi Na. RBWB1938

Muombaji : Abraham Peter Siyovelwa
Kiasi : 648,000 lita kwa siku
Chanzo : Mto Lukosi
Matumizi : Umwagiliaji wa matunda na mboga 5Ha
Kijiji : Ruaha Mbuyuni
Wilaya : Kilolo

80. Ombi Na. RBWB1936

Muombaji : Ester J. Ikasu
Kiasi : 86,400 lita kwa siku
Chanzo : Lukosi
Matumizi : Umwagiliaji wa mboga mboga 0.8 Ha
Kijiji : Ruaha Mbuyuni
Wilaya : Kilosa

81. Ombi Na. RBWB2025

Muombaji : Jumuiya ya Watumia Maji Itemela
Kiasi : 3,040,000 lita kwa siku
Chanzo : Kijito cha Itemela
Matumizi : Matumizi ya nyumbani ya Kijiji cha Nynzwa

Kijiji : Nyannzwa
Wilaya : Kilolo

82. Ombi Na. RBWB2077

Muombaji : Josephine Girls Sec. School
Kiasi : 50,000 lita kwa siku
Chanzo : Chemchem ya Malongelongo
Matumizi : Matumizi ya nyumbani ya Taasisi
Kijiji : Mahava
Wilaya : Njombe

83. Ombi Na. RBWB2100

Muombaji : Selous Kinga Lodge Ltd
Kiasi : 51,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani ya Biashara
Kijiji : Mloka
Wilaya : Rufiji

84. Ombi Na. RBWB2030

Muombaji : Jumuiya ya Watumia Maji Mgosheni
Kiasi : 35,000 lita kwa siku
Chanzo : Mto Kifinga
Matumizi : Matumizi ya nyumbani ya Kijiji cha Kifinga
Kijiji : Kifinga
Wilaya : Kilosa

85. Ombi Na. RBWB1935

Muombaji : Stephen E. Changala
Kiasi : 129,600 lita kwa siku
Chanzo : Mto Lukosi
Matumizi : Umwagiliaji wa Ha 1.0 za mboga mboga
Kijiji : Mtandika
Wilaya : Kilolo

86. Ombi Na. RBWB193

Muombaji : Nessa Healthy Centre
Kiasi : 1,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani ya Taasisi
Kijiji : Nduna
Wilaya : Kilombero

87. Ombi Na. RBWB0371

Muombaji : Matunda Group Kiwere
Kiasi : 11,750,000 lita kwa siku
Chanzo : Mto Little Ruaha
Matumizi : Umwagiliaji wa Ha 68.0 za mboga mboga
Kijiji : Kiwere
Wilaya : Iringa Vijijini

88. Ombi Na. RBWB1937

Muombaji : Amina M. Sagamiko
Kiasi : 194,400 lita kwa siku
Chanzo : Mto Lukosi
Matumizi : Umwagiliaji wa Ha 1.5 za mboga mboga
Kijiji : Mtandika
Wilaya : Kilolo

89. Ombi Na. RBWB1915

Muombaji : Director Njombe Town Council
Kiasi : 1,000 lita kwa siku
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani ya mji
Kijiji : Kwivaha
Wilaya : Njombe

90. Ombi Na. RBWB2082

Muombaji : Abdi Yasini Hamid
Kiasi :
Chanzo : Kisima
Matumizi : Matumizi ya umwagiliaji
Kijiji : Ugwachanya Isimila
Wilaya : Iringa

91. Ombi Na. RBWB2079

Muombaji : Mr. Erick Mkemwa
Kiasi :
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani ya Taasisi
Kijiji : Ilula Mtua
Wilaya : Iringa

92. Ombi Na. RBWB2023

Muombaji : Danish Lutheran Mission
Kiasi :
Chanzo : Kisima
Matumizi : Matumizi ya nyumbani ya Taasisi
Kijiji : Mkwawa
Wilaya : Iringa

93. Ombi Na. RBWB2125

Muombaji : Green Valley Agro Tz Ltd
Kiasi : 1,000 lita kwa mwaka
Chanzo : Kisima
Matumizi : Matumizi ya umwagiliaji
Kijiji : Tanangozi
Wilaya : Iringa

DAVID MUGINYA,
Kny: Afisa wa Maji
Bodi ya Maji ya Bonde la Rufiji

TAARIFA YA KAWAIDA NA. 102

UTHIBITISHO NA USIMAMIZI WA MIRATHI
 (Katika Mahakama Kuu ya Tanzania, Dar es Salaam)

SHAURI NA. 60 LA MWAKA 2019

Maombi ya Barua ya Usimamizi wa Mirathi ya:-
Rajnikant Chhaganlal Kanabar - Marehemu

Mr. Shetul Batavia & Others - Waombaji

TAARIFA YA KAWAIDA
 (Kanuni ya 75)

Watu wote wanaodai kuwa na haki ya marehemu aliyetajwa hapo juu wanafahamishwa kufika na kuangalia mashauri haya katika jalada kama wanaona inafaa kabla ya kutolewa kwa uthibitisho wa barua za usimamizi wa mirathi kwa waombaji hapo juu.

Mapingamizi yo yote kuhusu haya yawe yameandikishwa mnamo au kabla ya tarehe 13 mwezi wa 2 mwaka wa 2020.

Imewasilishwa Dar es Salaam leo tarehe 16 mwezi wa 12 mwaka wa 2019.

.....
Naibu Msajili

TAARIFA YA KAWAIDA NA. 103

UTHIBITISHO WA USIMAMIZI WA MIRATHI
 (Katika Mahakama Kuu ya Tanzania, Arusha)

SHAURI LA MIRATHI NAMBARI 30 LA MWAKA 2019

Maombi ya Barua ya Usimamizi wa Mirathi ya:-
Angelina Henry Muhama - Marehemu
 na

Marwa Nairusya Gordon - Mwombaji

TAARIFA YA KAWAIDA
 (Kanuni ya 75)

Watu wote wanaodai kuwa na haki katika mirathi ya marehemu aliyetajwa hapo juu wanafahamishwa kufika na kuangalia maombi haya katika jalada kama wanaona inafaa kabla ya kutolewa barua za usimamizi wa mirathi kwa mwombaji aliyetajwa hapo juu.

Mapingamizi yo yote kuhusu maombi haya yawe yameandikishwa mnamo au kabla ya tarehe 19 mwezi wa tatu mwaka wa 2020.

Imewasilishwa Arusha leo tarehe 19 mwezi wa kumi na mbili mwaka wa 2019.

M. J. MAHUMBUGA,
Naibu Msajili
Mahakama Kuu - Arusha

TAARIFA YA KAWAIDA NA. 104

CHANGE OF NAME BY DEED POLL
(Under Chapter 117 of the Registration of Documents Act)

BY THIS DEED, I, ELINE EKANDUMI KIMOJ of Post Office Box 21129, Dar es Salaam, Tanzania, DO HEREBY absolutely utterly renounce, relinquish and abandon the use of my former name ELINE NELSON KANGERO and in lieu thereof do assume and adopt as from the date hereof the name ELINE EKANDUMI KIMOJ.

AND IN PURSUANCE of such a change of name as aforesaid, I HEREBY DECLARE that I shall at all time hereinafter in all records, deed and instruments in writing and in all actions and proceedings and in all dealings transactions and upon occasions whatsoever use and sign the said name of ELINE EKANDUMI KIMOJ as my name in lieu of the said ELINE NELSON KANGERO renounced as aforesaid.

AND I HEREBY AUTHORIZE and request all persons to designate and address me in the name of ELINE EKANDUMI KIMOJ only.

AND I declare that all other deed polls which were registered in your office specifically the deed poll dated on 12th day of July, 2018 is hereby revoked.

I FURTHER DECLARE that all transactions, deeds and commitments that I have done in the past by use of my abandoned name of ELINE NELSON KANGERO are valid.

IN WITNESS WHEREOF I have hereto subscribed my name of ELINE EKANDUMI KIMOJ on the day and in the manner hereinafter appearing.

SIGNED and DELIVERED by the
said ELINE EKANDUMI KIMOJ in
my presence this 03rd day of
January, 2020. } ELINE EKANDUMI
KIMOJ

Name: MERCY LAMECK MWAMUKONDA,

Signature:,

Postal Address: 74 MOSHI,

Qualification: COMMISSIONER FOR OATHS.

TAARIFA YA KAWAIDA NA. 105

Police Force No. 12

TANZANIA POLICE FORCE

INVENTORY OF UNCLAIMED PROPERTY

District: Geita

FROM POLICE GEITA TO: DISTRICT MAGISTRATE COURT

L. and F No.	Date	Discription	Estimate Value		Finder's name and address	Remarks as to Condition	Magistrate's Order
			Shs.	Cts.			
GE/RB/3764/2019	02/07/ 2019	Pikipiki Sanlg No. MC 764 BQH Ches No. LBRSPJB51H9007142	80,000		F 3827 D/S/ SGT Juston	Chakavu	Pikipiki zote ziuzwe na Fedha iwe mali ya Serikali
GE/RB/3764/2019	02/07/ 2019	Pikipiki Sanlg No. MC 968 BJD Haina Ches No.	100,000		F 3827 D/S/ SGT Juston	Chakavu	
GE/RB/3764/2019	02/07/ 2019	Pikipiki Sanlg No. MC 649 BPC Ches No. LB RSPKB58H9006365	100,000		F 3827 D/S/ SGT Juston	Chakavu	
GE/RB/407/2019	14/08/ 2019	Sanlg Haina Plate No. Ches No. YCPCJL0900 1006	100,000		INSP Kibacho DTO Geita	Chakavu	
GE/RB/407/2019	14/08/ 2019	Sanlg No. T 327 BJJ Ches No. JBSPKB50A 9001389	100,000		INSP Kibacho DTO Geita	Chakavu	

TAARIFA YA KAWAIDA NA. 105

Police Force No. 12

TANZANIA POLICE FORCE

INVENTORY OF UNCLAIMED PROPERTY

District: Geita

FROM POLICE GEITA TO: DISTRICT MAGISTRATE COURT

<i>L. and F No.</i>	<i>Date</i>	<i>Discription</i>	<i>Estimate Value</i>		<i>Finder's name and address</i>	<i>Remarks as to Condition</i>	<i>Magistrate's Order</i>
			Shs.	Cts.			
GE/RB/407/2019	14/08/ 2019	Sanlg No. MC 635 BRP Ches No. JBRSPJ B56H9015690	100,000		INSP Kibacho DTO Geita	Chakavu	Pikipiki zote ziuzwe na Fedha iwe mali ya Serikali
GE/RB/407/2019	14/08/ 2019	Sanlg No. MC 572 BTS Ches. No. LBRSP JB53H9027098	100,000		INSP Kibacho DTO Geita	Chakavu	
GE/RB/407/2019	14/08/ 2019	Sanlg No. T 890 CEL Ches No. LBRSPJB54 C9017527	50,000		INSP Kibacho DTO Geita	Chakavu	
GE/RB/407/2019	14/08/ 2019	Sanlg No. MC 510 BTB Ches No. LBRSPJ B55H9024848	100,000		INSP Kibacho DTO Geita	Chakavu	
GE/RB/407/2019	14/08/ 2019	Lifan No. T 613 AX Ches No. LTJZCJ0033 0027	70,000		INSP Kibacho DTO Geita	Chakavu	
GE/RB/407/2019	14/08/ 2019	Sanlg No. MC 135 AJZ Ches No. LKJPCKL15 B1156102	100,000		INSP Kibacho DTO Geita	Chakavu	
GE/CID/PE/18/ 2019	14/08/ 2019	Sanlg T 122 CYR Ches No. LBRSPJB55 TC9013779	80,000		SP Alex Mkonda OC CID Geita	Chakavu	
GE/CID/PE/18/ 2019	14/08/ 2019	Sanlg MC 574 ASA Ches No. LBRSPJB5X F9010439	100,000		SP Alex Mkonda OC CID Geita	Chakavu	
GE/CID/PE/18/ 2019	14/08/ 2019	Pikipiku TBS Haina Plat No. Ches No. LDA RAJOBTFG07668	80,000		SP Alex Mkonda OC CID Geita	Chakavu	

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Mkuu wa Kituo cha Polisi
Geita

TAARIFA YA KAWAIDA NA. 106

Police Force No. 12

TANZANIA POLICE FORCE

INVENTORY OF UNCLAIMED PROPERTY

District: Magu

FROM: MAGU POLICE STATION TO: RESIDENT MAGISTRATE

<i>L. and F No.</i>	<i>Date</i>	<i>Discription</i>	<i>Estimate Value</i>		<i>Finder's name and address</i>	<i>Remarks as to Condition</i>	<i>Magistrate's Order</i>
			Shs.	Cts.			
MGU/RB/1957/ 2019	07/01/ 2020	Pikipiki Haina Plate No. Cheses No. LTS PCKLNZC6200032 Aina ya Sanlg	60,000		ASP Mary J. Sungi OCS Magu	Mbovu	Pikipiki zote ziuzwe na Fedha iwe mali ya Serikali
MGU/RB/1957/ 2019	07/01/ 2020	Pikipiki MC 771 ATZ Aina ya Fekon	80,000		ASP Mary J. Sungi OCS Magu	Mbovu	
MGU/RB/1957/ 2019	07/01/ 2020	Pikipiki Haina Plate No., Haina Cheses No. Aina ya Sanlg	80,000		ASP Mary J. Sungi OCS Magu	Mbovu	
MGU/RB/1957/ 2019	07/01/ 2020	Pikipiki MC 974 BBD Aina ya Toyo	80,000		ASP Mary J. Sungi OCS Magu	Mbovu	
MGU/RB/2700/ 2019	07/01/ 2020	Pikipiki aina ya Sanlg Haina Plate No. yenye Chases No. LBRSPJB51K9001347	80,000		ASP Mary J. Sungi OCS Magu	Mbovu	
MGU/RB/2060/ 2019	07/01/ 2020	Pikipiki T 690 BHK Aina ya Liphani	80,000		ASP Mary J. Sungi OCS Magu	Mbovu	
MGU/RB/2060/ 2019	07/01/ 2020	Pikipiki T 551 CKT Aina ya Toyo	80,000		ASP Mary J. Sungi OCS Magu	Mbovu	
MGU/RB/2060/ 2019	07/01/ 2020	Pikipiki T 127 BEV Aina ya Sanlg	80,000		ASP Mary J. Sungi OCS Magu	Mbovu	
MGU/RB/2060/ 2019	07/01/ 2020	Pikipiki MC 919 AKA Aina ya Salng NyeKundu	80,000		ASP Mary J. Sungi OCS Magu	Mbovu	
MGU/RB/2060/ 2020	07/01/ 2020	Pikipiki Haina Plate No. wala Cheses No. Aina ya Toyo	50,000		ASP Mary J. Sungi OCS Magu	Mbovu	

<i>L. and F No.</i>	<i>Date</i>	<i>Description</i>	<i>Estimate Value</i>		<i>Finder's name and address</i>	<i>Remarks as to Condition</i>	<i>Magistrate's Order</i>
			Shs.	Cts.			
MGU/RB/1967/ 2019	07/01/ 2020	Pikipiki MC 539 BUD Aina ya Sanlg Nyekundu	100,000		ASP Mary J. Sungi OCS Magu	Mbovu	Pikipiki zote ziuzwe na Fedha iwe mali ya Serikali

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Office-in-charge, Police Station

TAARIFA YA KAWAIDA NA. 107

Police Force No. 12

TANZANIA POLICE FORCE
INVENTORY OF UNCLAIMED PROPERTY

District: Rufiji

FROM IKWIRIRI POLICE STATION TO:

<i>L. and F No.</i>	<i>Date</i>	<i>Description</i>	<i>Estimate Value</i>		<i>Finder's name and address</i>	<i>Remarks as to Condition</i>	<i>Magistrate's Order</i>
			Shs.	Cts.			
IKW/RB/143/2019	09/01/ 2020	Pikipiki MC 945 ASK Boxer	300,000	00	ASP Paul Kimaro	Mbovu	Ziuzwe na Pesa Ziingizwe kwenye Mfuko wa Serikali
IKW/RB/143/2019	09/01/ 2020	Pikipiki MC 924 BGB Sunlg	300,000	00			
IKW/RB/436/2019	09/01/ 2020	MC 864 BYF Boxer	300,000	00			
IKW/RB/619/2019	09/01/ 2020	Pikipiki MC 328 BSG Haojue	300,000	00			

Police Litho

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Mkuu wa Kituo cha Polisi
Ikwiriri - Rufiji

Supplement No. 5

31st January, 2020

SUBSIDIARY LEGISLATION

to the Gazette of the United Republic of Tanzania No.5 Vol.101 dated 31st January 2020
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GOVERNMENT NOTICE No.50 published on 31/1/2020

**THE PETROLEUM ACT
(CAP 392)**

RULES

(Made under section 259 (1))

THE PETROLEUM (LUBRICANTS OPERATIONS) RULES, 2020

ARRANGEMENT OF RULES

**PART I
PRELIMINARY PROVISIONS**

1. Citation.
2. Application.
3. Interpretation.

**PART II
APPLICATION FOR A CONSTRUCTION APPROVAL**

4. Application for construction approval.

5. Application to be accompanied by a fee.
6. Grant of a construction approval.
7. Duration of a construction approval.
8. Notice of commencement.
9. Suspension and revocation of a construction approval.

PART III LICENSING PROCEDURES

10. Obligation to obtain a licence.
11. Power to enter and close a facility.
12. Licensing requirements for a lubricants wholesale licence.
13. Licensing requirements for a lubricants blending licence.
14. Licensing requirements for a lubricants distribution licence.
15. Conditional licence.
16. Licence application.
17. Licence application to be accompanied by an integrity pledge, tax Clearance Certificate and a fee.
18. Publication of licence a application.
19. Grant of a licence.
20. Duration of Licence.
21. Application for transfer of licence.
22. Change of name.
23. Change in shareholding structure.
24. Application for renewal of licence.
25. Suspension or revocation of a licence.

PART IV GENERAL AND SPECIFIC OBLIGATIONS OF A SUPPLIER

26. General obligations of wholesaler.
27. General obligations of a distributor.
28. General obligations of LOB.
29. General obligations of retailer.
30. Protection to lives and property.
31. Compensation for loss suffered.
32. Insurance.

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

- 33. Maintenance of records, provision and disclosure of information.
- 34. Confidential information.

PART V
ENVIRONMENTAL PROTECTION

- 35. Compliance with environmental laws and standards.
- 36. Sanctions for events of violation of environmental law.

PART VI
TECHNICAL OBLIGATIONS OF A SUPPLIER

- 37. Compliance with specifications and standards.
- 38. Execution of a dealership agreement.
- 39. Provision of technical support.
- 40. Preparation and submission of plan.
- 41. Termination of dealership agreement.
- 42. Offence.
- 43. Prohibition to decant.
- 44. Prohibition on under filling.
- 45. Reference of violation to the certification authority.
- 46. Deceptive trade practices.
- 47. Storage of lubricants.
- 48. Provision of fire extinguishing equipment.
- 49. Preparation of fire emergency plan.

PART VII
LUBRICANT SAMPLING AND TESTING PROCEDURES
Sub Part I
Sampling Process

- 50. Sampling in accordance with the act and the rules.
- 51. Preliminaries to sampling.
- 52. How sample will be taken.
- 53. Sample collection form to be signed.
- 54. Operator, driver or employee to witness and facilitate the sampling exercise.
- 55. Offence.

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

Sub Part II

Lubricant Testing and Re-testing Procedures

- 56. Selection of qualified laboratories.
- 57. Re-testing process.
- 58. Right to witness re-testing.

Sub Part III

Procedures on Inspection of a Licenced Facility, Lubricant Shop or a Transport Unit

- 59. Procedure on inspection of licenced facility, lubricant shop or transport unit.
- 60. Offence.

Sub Part IV

Procedures on Impoundment of a Transport Unit

- 61. Procedure for impounding a transport unit.
- 62. Release of an impounded transport unit.
- 63. Exemption from liability.

Sub Part V

Penalties for Non – Conforming Products

- 64. Penalties for non-conforming products.
- 65. Licenced facility that has its licence revoked.
- 66. Temporary closure of facility or impounding of a Transport Unit.
- 67. Reference to TRA and other government institutions.

Sub Part VI

Disposal of Non-Conforming Products

- 68. Disposal of non- conforming products.
- 69. Penalties to tempering, cutting seals and tapes, or removing any signage to licenced facility or transport unit.

PART VIII

COMPLIANCE AND ENFORCEMENT

- 70. Inspection of facility.
- 71. Notification of offences.
- 72. Offence.
- 73. Issuance of compliance orders.
- 74. Obligations of Inspectors during Inspection.
- 75. Prohibited acts against inspectors.
- 76. Decommissioning procedure.
- 77. Site restoration.

PART IX

GENERAL PROVISIONS

- 78. Appeal.
- 79. Revocation of GN 64 of 2014.
- 80. Authority to supplement procedures.

SCHEDULES

GOVERNMENT NOTICE No. 50 Published on 31/1/2020

THE PETROLEUM ACT
(CAP 392)

THE PETROLEUM (LUBRICANTS OPERATIONS) RULES, 2020

(Made under section 259(1))

PART I
PRELIMINARY PROVISIONS

Citation	1. These Rules may be cited as the Petroleum (Lubricants Operations) Rules, 2020.
Application	2. These Rules shall regulate the wholesale, blending, distribution and retail business of petroleum lubricants.
Interpretation Cap. 392	3. In these Rules, unless the context otherwise requires: “Act” means the Petroleum Act; “applicable law” means any principal law, treaty, proclamation, regulations, rules, order or a by-law that is customarily treated in Tanzania as having legally binding force in matters pertaining to regulation of petroleum lubricants operations in Mainland Tanzania;
Cap. 130	“approved specification” means any specification or standard in relation to a petroleum product applied by the Authority and as approved pursuant to the Standards Act, and any other standards that are widely used as Petroleum industry best practices;
Cap. 414	“Authority” means the Energy and Water Utilities Regulatory Authority established under the provisions of the EWURA Act; “blending customer” means a wholesale lubricant licensee who has a contract with a lubricant oil blender to blend its products; “brand owner” is a licensed lubricants’ wholesaler and whose brand is registered with the Authority;

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

Cap. 340

“certification authority” means the Weights and Measures Agency established under the provisions of the Executive Agencies Act;

“container” means any receptacle including a drum, pail, jerry can, tin, carton, can or jar in which a lubricant is stored or carried;

“compliance order” means an order issued by the Authority pursuant to section 39 of the EWURA Act;

“customer” means any person supplied or that has a contract to be supplied with lubricants;

“dangerous situation” means a situation involving a petroleum product that:

- (a) endangers the safety or health of a person, or the safety of a person’s property; or
- (b) creates an immediate risk of significant environmental harm;

“dealership agreement” means the contractual arrangement that establishes, *inter alia*, a relationship between a wholesaler and a distributor or a distributor and a retailer with respect to the purchase and sale of a lubricant as required by rule 40;

“decant” means transfer of a lubricant from one container to another;

“designated customer” means a person who buys lubricants from a wholesaler for his own use;

“distributor” means a person who has a dealership agreement with a wholesaler with respect to the purchase and sale of a lubricant and who sells a lubricant to a customer;

Cap. 414

“EWURA Act” means the Energy and Water Utilities Regulatory Authority Act;

“incident” means:

- (a) an event that involves the leakage of a petroleum product from a transport unit or a spill of a petroleum product resulting from the dispensing or offloading activities;
- (b) death or personal injury occurring as a result of the conduct of a licensed activity or retail business;

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

- (c) a fire or an event incidental to a fire resulting from the conduct of a licensed activity or retail business;
or
 - (d) any other significant event that may adversely affect the conduct of a licensed activity or retail business;
- “inspector” means an officer or an agent of the Authority appointed by the Authority to perform the functions of inspection as required under the Act and applicable law;
- “leak” means the discharge of a lubricant into any structure or thing;
- “licence” means an authorization issued by the Authority to conduct a licensed activity pursuant to these Rules;
- “licensee” means a holder of a licence;
- “licensed activity” means an activity related to the lubricant wholesale, blending, distribution or retail business;
- “licensed facility” means a warehouse, storage tank, blending plant and associated equipment and accessory which a licensee uses to conduct a licensed activity;
- “lubricants retail business” means storing, handling and selling of lubricants to customers through a lubricants’ shop;
- “lubricants shop” means any place where a lubricant is sold or offered for sale to a customer by a retailer;
- “lubricants wholesale business” means an activity necessary for importing of lubricants or importation of base oil and additives for blending and selling of lubricants to a distributor, a wholesalers branded petrol stations and designated customers;
- “LOB” its an acronym of Lubricants Oil Blender;
- “lubricants blending business” means all those activities necessary for manufacturing lubricants;
- “NPGIS” its an acronym of the “National Petroleum and Gas Information System” maintained by the Authority;
- “operator” means a person who is responsible for the day-to-day activities of a licensed facility or lubricants shop, whether such person is on the relevant premises during business hours or is the owner of such facility and who for the purpose of these Rules, shall be deemed to have the authority and the ability to:

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

- (a) grant an inspector access to the relevant premises and facilities to facilitate the performance of the inspector's duties;
- (b) detect any defect weakness within a licensed facility and make an authoritative judgment as to its suitability for further use;
- (c) answer questions raised by inspectors; and
- (d) witness the inspection process.

“Petroleum Industry Best Practises” means any conduct related to a petroleum product intended to preserve product quality and meeting generally accepted health, safety and environmental requirements;

“retailer” means a person who conducts a lubricants retail business;

“Sample Collection Form” means a document issued by the Authority as prescribed in the sixth Schedule and which is to be completed by an inspector during the collection of a lubricants sample;

“supplier” means a person conducting an activity in connection with a lubricant wholesale, distribution, blending or retail business;

Cap. 130

“TBS” its an acronym of “he Tanzania Bureau of Standards” established under the Standards Act;

Cap. 285

“tribunal” means the Fair Competition Tribunal established under the provisions of the Fair Competition Act; and

“wholesaler” means any person who engages in lubricants wholesale business.

PART II

APPLICATION FOR A CONSTRUCTION APPROVAL

Application for
construction
approval

4.— (1) A person shall not construct a lubricants' blending plant without seeking and obtaining a construction approval from the Authority in a manner provided under these Rules.

(2) Any person who intends to construct a lubricants' blending plant shall lodge an application with the Authority by filling in the application form prescribed in the First Schedule to these Rules or as otherwise described by the Authority.

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

(3) Any person who constructs a lubricants' blending plant without seeking and obtaining a construction approval from the Authority commits an offence and shall, on conviction, be liable to a fine of not less than twenty million Tanzania Shillings or imprisonment for a term of not less than three years or both.

Application to
be accompanied
by fee

5. An application for a construction approval under rule 4 shall be accompanied by a non-refundable application fee as shall be prescribed by the Authority.

Grant of
construction
approval

6. - (1) The Authority shall, upon receipt of an application described in rule 4, proceed to evaluate such application and decide whether to grant, deny or refer back the application.

(2) The Authority shall, while making a decision whether to grant or deny a construction approval, consider the application compliance with-

- (a) land ownership and land use laws; and
- (b) health, safety and environmental requirements.

(3) The Authority shall cause the construction approval under subrule(1), to be published in the *Government Gazette*.

(4) After issuance of an approval, the applicant shall be notified to come and collect the approval.

(5) The Authority shall, in the event that it denies an application for a construction approval, inform the applicant of such decision in writing, including the reasons thereof.

Duration of
construction
approval

7.-(1) A construction approval issued by the Authority under rule 6 shall remain in force for such period as the Authority may allow.

(2) The construction approval issued by the Authority under rule 6 shall cease to have effect in the event the holder of the said approval fails to commence construction within twenty four months from the date of issue.

(3) The Authority may, on its own or upon receipt of an application by the holder of a construction approval extend the duration of the construction approval to such period as it may think fit.

Notice of
commencement

8. A holder of a construction approval shall issue to the Authority a notice of commencement of construction not less than thirty days prior to the start of construction.

Suspension and
revocation of
construction
approval

9.– (1) The Authority may, by notice published in the *Government Gazette*, withdraw or suspend a construction approval if any of the terms and conditions thereof has not been complied with.

(2) Where the Authority intends to withdraw, suspend or amend a construction approval it shall, at least twenty-one days before the date of intended revocation, suspension or amendment, notify the holder of such approval about the intention and the reasons thereof.

(3) Notwithstanding the provisions of subrule (1) and (2) the Authority may, by notice in the *Government Gazette*, withdraw or suspend a construction approval on the application or with the consent of the holder of such approval.

(4) The Authority may, by notice in the *Government Gazette*, reinstate a construction approval revoked or suspended under subrule(1) if satisfied that the reasons for the revocation or suspension no longer exist.

(5) Without prejudice to the provisions of subrule(2), the Authority may, pending the expiry of the notice under that subrule and where there are compelling reasons to do so, order the holder of the construction approval to stop the construction work.

PART III LICENSING PROCEDURES

Obligation to
obtain licence

10.-(1) A person shall not conduct a licensed activity without seeking and obtaining a licence from the Authority.

(2) The Authority shall issue licenses in respect of the following activities:

- (a) lubricants wholesale business;
- (b) lubricants blending business; and
- (c) lubricants distribution business.

(3) Any person who contravenes the provisions of

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

subrules (1) commits an offence and shall be liable on conviction, to a fine of not less than twenty million Tanzania Shillings or imprisonment for a term of not less than two years but not more than five years or both.

Power to enter
and close a
facility

11. Notwithstanding the penalty prescribed under rule 10(3), the Authority shall, in the event it determines that a person is or has contravened the provisions of rule 10 (1), enter upon any facility and close it down.

Licensing
requirements for
lubricants
wholesale
licence

12.-(1) A person shall not be issued with a lubricants wholesale licence unless the application meets the necessary technical and financial licensing requirements which are:

- (a) written proof of ownership or lease of a lubricants warehousing that complies with Petroleum industry best practices including:
 - (i) an emergency exit;
 - (ii) sufficient ventilation;
 - (iii) spillage containment; and
 - (iv) adequate fire fighting equipment;
- (b) possession of oil and lubricants handling permit from the relevant authority;
- (c) submission of curriculum vitae of at least two key personnel and proof of their relevant qualifications and experience in petroleum lubricants business; and
- (d) proof of financial capability which is either:
 - (i) an audited financial statements showing annual gross turnover of not less than two hundred million Tanzania Shillings and a good business track record; or
 - (ii) a bank statement showing a credit balance of not less than two hundred million Tanzania shillings; or
 - (iii) a bank guarantee or a credit facility of not less than two hundred million Tanzania Shillings from a bank or financial institution licensed by the Bank of

Tanzania; or

- (iv) a letter of comfort from a financial institution or a bank licensed by the Bank of Tanzania that confirms that the bank or the financial institution shall extend a loan to the applicant for the amount not less than two hundred million Tanzania Shillings, provided that the letter shall be signed by the chief executive officer or an authorized signatory of the institution or the bank.

(2) Notwithstanding the provisions of subrule (1), an applicant may rely on the financial capability of its parent company provided that-

- (a) the Authority is provided with a written consent or guarantee from the parent company; and
- (b) the applicant shall submit proof of financial capability of the parent company which shall be either-
 - (i) an audited financial statements showing annual gross turnover of not less than one billion Tanzania Shillings; and
 - (ii) a bank statement of not more than three months to the date of application showing a credit balance of not less than one billion Tanzania Shillings or its equivalent in convertible currency.

Licensing
requirements for
lubricants
blending licence

13. A person shall not be issued with a lubricants blending licence unless the application meets the necessary technical and financial licensing requirements which are:

- (a) a written proof of ownership of a lubricants blending plant that complies with petroleum industry best practices;
- (b) possession of an Environmental Impact Assessment Certificate from the relevant Authority;
- (c) submission of curriculum vitae of at least two key personnel and proof of their relevant qualifications and experience in petroleum lubricants handling

- operations; and
- (d) proof of financial capability which is either:
- (i) previous year's audited financial statements showing an annual gross turnover of not less than five hundred million Tanzania Shillings and a good business track record;
 - (i) a bank statement showing a balance of not less than five hundred million Tanzania Shillings;
 - (ii) a bank guarantee of not less than five hundred million Tanzania Shillings; or
 - (iii) a letter of comfort from a financial institution or a bank that confirms that the bank or the financial institution shall extend a loan to the applicant for the amount not less than five hundred million Tanzania Shillings, provided that the letter shall be signed by the chief executive officer or an authorized signatory of the institution or the bank.

licensing
requirements for
lubricant
distribution
licence

14.A person shall not be issued with a lubricants distribution licence unless the application meets the necessary technical licensing requirements which are:

- (a) a written proof of ownership or lease of a lubricants warehousing that complies with petroleum industry best practices including:
 - (i) an emergency exit;
 - (ii) sufficient ventilation;
 - (iv) spillage containment; and
 - (v) adequate firefighting equipment;
- (b) possession of oil and lubricants handling permit from the relevant authority;
- (c) names of wholesalers and retailers that the applicant has entered into dealership agreements with; and
- (d) possession of adequate skilled personnel.

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

Conditional
licence

15. Notwithstanding the generality of rule 12, 13 and 14 the Authority may issue a licence with specific conditions to be fulfilled within a prescribed time.

Licence
application

16. An applicant for a licence shall apply to the Authority for a licence by filling in the application form prescribed in the Second Schedule or as otherwise provided by the Authority.

Application to be
accompanied by
an integrity
pledge, tax
clearance
certificate and Fee

17. An application for a licence under rule 16 shall be accompanied by a duly signed integrity pledge in the form provided in the Third Schedule to these Rules, a tax clearance certificate and a non-refundable application fee as shall be prescribed by the Authority.

Publication of
licence
applications

18.-(1) A licence application received by the Authority shall be evaluated to verify its completeness and correctness of the information contained therein and shall thereafter publish a notice of the application in at least two newspapers of wide circulation in Tanzania, one in English and another in Kiswahili, with a view to soliciting comments and representations on the application.

(2) The costs of publication of the notice under subrule(1) shall be borne by the Authority.

(3) The public shall be invited, by the notice to be published under subrule(1), to submit their comments and representations within fourteen days from the date of publication and the comments and representations received shall be considered by the Authority in arriving at the decision on the application.

Grant of licence

19. -(1) The Authority shall, upon consideration of an application for a licence:

- (a) deny the application;
- (b) refer back the application; or
- (c) grant the application and issue a licence.

(2) The Authority shall, while making a decision to grant, refer back or deny a licence, take into consideration:

- (a) the licensing requirements in rules 13, 14 and 15;
- (b) the protection of the environment;
- (c) objections or representations received from the public pursuant to rule 18;
- (d) compliance to land use laws;
- (e) compliance of the proposed licensed facility on matters related to:
 - (i) safety;
 - (ii) health;
 - (iii) security;
 - (iv) handling of hazardous substances; and
 - (v) environment;
- (f) the applicant's record of compliance with the Act, these Rules and other applicable laws; and
- (g) any other matter relevant to the orderly conduct of lubricants business in Tanzania.

(3) The Authority shall, in the event that it denies or refers back an application for a licence, informs the applicant of such decision in writing, including the reasons thereof.

Duration of
Licence

20. (1) The term of a licence shall be:

- (a) for lubricants wholesale business a period of five years;
- (b) for lubricant distribution business, a period of five years and
- (c) for lubricants blending business, a period of ten years.

(2) A licence shall remain valid for the term stated in subrule (1), provided, that the Authority may, on the written application by a licensee, extend the period for such further period as the Authority may deem fit.

(3) Notwithstanding the provisions of subrules (1) and (2), a licence shall cease to have effect if the respective licensee fails to commence a licensed activity within six months after issuance of the licence.

Application for
transfer of

21.- (1) No licence shall be assigned or transferred to

licence

another person without a written approval of the Authority.

(2) Any transferor or assignor of a licence shall apply to the Authority by filling the application form prescribed in the Fourth Schedule or as otherwise provided by the Authority.

(3) Notwithstanding the provisions of subrule (1) no application for a transfer or assignment of a licence shall be entertained by the Authority unless it is endorsed by the transferee or assignee, as the case may be.

(4) A licence transfer application received by the Authority shall be evaluated to verify its completeness and correctness of information contained therein and thereafter a notice of the application shall be published in at least two newspapers of wide circulation in Tanzania, one in English and another in Kiswahili with a view to soliciting comments and representations on the application.

(5) The public shall be invited, by the notice published under subrule (4), to submit comments and representations within fourteen days from the date of publication of the notice and the comments and representations shall be considered by the Authority in arriving at the decision on the application.

(6) The Authority shall, after the expiration of the notice in subrule (5), evaluate the application together with comments received (if any) and make a decision whether to grant or deny the application for transfer or assignment.

Change of name

22.- (1) A licensee may change its name pursuant to the provisions of these Rules and applicable law.

(2) A licensee who has changed its name shall within thirty days after such change notify the Authority in writing, which notification shall be accompanied by a certificate of change of name issued by the relevant authorities.

Change in
shareholding
structure

23.-(1) A change of ownership where a third party becomes a majority shareholder of a company in relation to which a licence has been issued shall require the written approval of the Authority.

(2) The party seeking approval under subrule (1) shall submit the following documents in support of his application-

(a) a duly signed and stamped deed of share transfer;

- (b) tax clearance certificate of a transaction; and
- (c) any other information as may be required by the Authority.

Cap. 212

(3) A licensee shall, after filing with the Registrar of companies the necessary forms evidencing the change of shareholding as required by the Companies Act, notify the Authority about such change.

(4) The Authority may before approving the application for change in shareholding structure, consult the Fair Competition Commission and the Tanzania Revenue Authority.

Application for
renewal of
licence

24.-(1) A licensee who wishes to renew a licence shall, not less than six months before expiration of the licence term, apply to the Authority for a renewal of the licence.

(2) Application for renewal of a licence in subrule (1) shall be in the form prescribed in the Fifth Schedule to these Rules or as otherwise prescribed by the Authority.

(3) An application for renewal of a licence shall be accompanied by a tax clearance certificate and other information as may be required by the Authority.

(4) The Authority shall while making a decision whether to grant or deny an application for renewal of a licence consider the applicant's compliance to the Act, these Rules and terms and conditions of the licence which is due to expire.

(5) The Authority shall, in the event that it denies an application for a licence, inform the applicant of such decision in writing, including the reasons thereof.

(6) The Authority shall not renew the licence of a licensee who has, during the term of the licence which has expired or is due to expire, failed to comply with the terms and conditions of the licence, refused or wilfully neglected to comply with any Order given by the Authority and such acts were not remedied by such licensee up to the time of determining the application.

Suspension or
revocation of
licence

25. – (1) A licence may be suspended or revoked by the Authority for a period of twelve months if the licensee:

Cap 392

- (a) Violates any of the provisions of the Act

conditions attached to a licence which affects the conduct of regulated activity;

- (b) Obtained a licence by fraud or deliberate submission of false information or statements;
- (c) fails to comply with obligations conferred within the terms stated in the licence;
- (d) persistently fails to comply with the approved local content plans;
- (e) interrupts services to other users without authorization of the Authority;
- (f) carries on business in a manner that is detrimental to the welfare or interest of other users;
- (g) violates the tariffs, rates and charges established by the Authority;
- (h) persistently fails or refuses to submit information to the NPGIS;
- (i) fails to comply with the applicable health, safety, service, quality or environmental standards, or any other additional standards as may be stated in the licence; or
- (j) is convicted or found guilty of an offence relating to corruption, money laundering, economic crimes or tax evasion.

(2) The Authority shall not suspend or revoke a licence, unless a twenty-one days' notice of intention to suspend or revoke the said licence has been issued to a licensee.

(3) The Authority may waive the licence suspension if it is satisfied that a licensee has abstained from the act that caused the suspension and the reason for suspension no longer exists.

PART IV GENERAL AND SPECIFIC OBLIGATIONS OF A SUPPLIER

General
obligations of a
wholesaler

26. A Wholesaler shall:

- (a) comply with:
 - (i) applicable law;
 - (ii) orders and directives of the Authority;

- (iii) these Rules;
 - (iv) provisions related to local content as provided in the Act and regulations made by the Minister;
 - (v) petroleum industry best practices; and
 - (vi) any guidelines issued by the Authority;
- (b) ensure that any lubricant that is imported, blended, stored, transported or sold is registered and approved by the Authority before it is used in Tanzania;
- (c) ensure that lubricant products are adequately packed and the content weight or volume is accurate;
- (d) ensure that it only sells lubricants to a distributor it has entered into a dealership agreement with;
- (e) ensure that it only sells lubricants to distributors, lubricant shops and designated consumers;
- (f) ensure that a lubricant container is marked with the following information:
 - (i) manufacturer's name;
 - (ii) product brand name;
 - (iii) product type;
 - (iv) performance level;
 - (v) quantity in weight or volume;
 - (vi) batch number;
 - (vii) specification whether virgin or recycled base oil.
- (g) ensure that it has material safety data sheet for each lubricant;
- (h) provide the Authority with a copy of a bill of lading not less than fourteen days prior to the arrival of the vessel importing the lubricant consignment to Tanzania;
- (i) upon clearance, provide the Authority with proof of payment of taxes and duties and TBS batch certification of the consignment;
- (j) inform the Authority as soon as practicable, but in any event not more than twenty-four hours after the

- occurrence of a dangerous situation or incident related to its licensed activity, or occurring within its licensed facility, including the steps taken or proposed to be taken to remedy such situation or to eliminate or minimize the danger arising from such situation;
- (k) upon request, make available to the Authority records of the licensed activity;
 - (l) print the number of the licence on every accounting document used for its operations with a customer, including invoices, delivery notes, and receipts;
 - (m) conduct business in such a way that:
 - (i) customers are treated fairly and equally; and
 - (ii) comparable services are provided to all customers;
 - (n) not engage in any activity that disrupts or interferes with competition;
 - (o) as soon as practicable, but in any event not later than thirty days after it becomes aware of the fact, notify the Authority:
 - (i) if it is unable to conduct its licensed activity;
 - (ii) if the conduct of its licensed activity would or might lead to the breach of any of these Rules, applicable law or materially affect services to the customers; or
 - (iii) of any material change in circumstance that adversely affects its licensed activity;
 - (p) cause the operator to be present on the licensed facility at all times;
 - (q) notify the Authority of any change of its address, name or location not later than seven days after such change;
 - (r) display in a conspicuous place at its licensed facility its licence or a true copy thereof, duly certified; and

- (s) issue an official receipt bearing its registered name and address in all transactions relating to lubricants which shall specifically set out:
 - (i) its registered name and address;
 - (ii) the quantity and price of the lubricant sold; and
 - (iii) the date of the transaction.

General
obligations of
distributor

27. A distributor shall:

- (a) comply with:
 - (i) applicable law;
 - (ii) orders and directives of the Authority;
 - (iii) these Rules;
 - (iv) petroleum industry best practices; and
 - (v) any guidelines issued by the Authority;
- (b) ensure that it enters into a dealership agreement with a holder of a lubricant wholesale licence;
- (c) unless the dealership agreement states otherwise, only buy lubricants from a wholesaler it has entered into a dealership agreement;
- (d) only buy, transport, store or sell lubricants that are registered by the Authority;
- (e) ensure that products are adequately packed and the content weight or volume is accurate;
- (f) ensure that it keeps details of its customers and product purchased including name, address, physical location, quantity, brand, receipts and invoices.
- (g) ensure that a lubricant is marked with the following information:
 - (i) manufacturer's name;
 - (ii) product brand name;
 - (iii) product type;
 - (iv) performance level;
 - (v) quantity in weight or volume;
 - (vi) batch number; and
 - (vii) specification whether virgin or recycled base oil.

- (h) ensure that it has material safety data sheet for each lubricant;
- (i) inform the Authority as soon as practicable, but in any event not more than twenty-four hours after the occurrence of a dangerous situation or incident related to its licensed activity, or occurring within its licensed facility, including the steps taken or proposed to be taken to remedy such situation or to eliminate or minimize the danger arising from such situation;
- (j) upon request, make available to the Authority records of the licensed activity;
- (k) print the number of a licence on every accounting document used for its operations with a customer, including invoices, delivery notes, and receipts;
- (l) conduct business in such a way that:
 - (i) customers are treated fairly and equally; and
 - (ii) comparable services are provided to all customers;
- (m) not engage in any activity that restricts, disrupts or interferes with competition;
- (n) as soon as practicable, but in any event not later than thirty days after it becomes aware of the fact, notify the Authority:
 - (i) if it is unable to conduct the licensed activity;
 - (ii) if the conduct of the licensed activity would or might lead to the breach of any of these Rules, applicable law or materially affect services to the customers; or
 - (iii) of any material change in circumstance that adversely affects its licensed activity;
- (o) notify the Authority of any change of its address, name or location not later than seven days after such change;

- (p) display in a conspicuous place at its licensed facility its licence or a true copy thereof, duly certified; and
- (q) issue an official receipt bearing its registered name and address in all transactions relating to lubricants which shall specifically set out:
 - (i) its registered name and address;
 - (ii) the quantity and price of the lubricant sold; and
 - (iii) the date of transaction;

General
obligations of
LOB

28. A LOB shall:

- (a) comply with:
 - (i) applicable law;
 - (ii) orders and directives of the Authority;
 - (iii) these rules;
 - (iv) petroleum industry best practices; and
 - (v) any guidelines issued by the Authority;
- (b) ensure that the blending formulation is certified by the appropriate certification body;
- (c) only blend lubricants for a holder of a lubricant wholesale licence;
- (d) ensure that the testing and measuring instruments used for its licensed activity are accurate and calibrated by the certification Authority;
- (e) on a monthly basis, submit to the Authority a report on the blended lubricant brand which shall include the following particulars:
 - (i) the owner of such blended lubricant;
 - (ii) brand of the blended lubricant; and
 - (iii) the quantity of the blended lubricant.
- (f) inform the Authority as soon as practicable, but in any event not more than twenty-four hours after the occurrence of a dangerous situation or incident related to its licensed activity or occurring within its licensed facility, including the steps taken or proposed to be taken to remedy such situation or to

- eliminate or minimize the danger arising from such situation;
- (g) ensure that waste is safely disposed of in compliance with applicable law;
- (h) upon request, make available to the Authority records of the licensed activity;
- (i) maintain and make available to the Authority upon request documentary evidence that:
 - (i) all electrical equipment and installations in the licensed facility relevant for the conduct of its licensed activity comply with existing relevant codes or/and applicable law; and
 - (ii) areas of the licensed facility where flammable gases or vapours may occur comply with existing relevant codes or applicable law;
- (j) print the number of a licence on every accounting document used for its operations, including invoices, delivery notes, and receipts;
- (k) conduct business in such a way that:
 - (i) blending customers are treated fairly and equally; and
 - (ii) comparable services are provided to all blending customers;
- (l) not engage in any activities that restricts, disrupt or interfere with competition;
- (m) as soon as practicable, but in any event not later than thirty days after it becomes aware of the fact, notify the Authority:
 - (i) if it is unable to conduct its licensed activity;
 - (ii) if the conduct of its licensed activity would or might lead to the breach of any of these Rules, applicable law or materially affect services to blending customers; or
 - (iii) of any material change in

- circumstance that adversely affects its licensed activity;
- (n) cause an operator to be present in the licensed facility at all times;
- (o) notify the Authority of any change of its address, name or location not later than seven days after such change; and
- (p) display in a conspicuous place at its licensed facility its licence or a true copy thereof, duly certified.

General
obligations of
retailer

29. A retailer shall:

(a) comply with:

- (i) applicable law;
- (ii) orders and directives of the Authority;
- (iii) these Rules;
- (iv) petroleum industry best practices; and
- (v) any guidelines issued by the Authority;
- (b) only buy, transport, store or sell lubricants that are registered by the Authority;
- (c) ensure that lubricant products are adequately packed and the content weight or volume is accurate;
- (d) ensure that a lubricant is marked with the following information:
 - (i) manufacturer's name;
 - (ii) product brand name;
 - (iii) product type;
 - (iv) performance level;
 - (v) quantity in weight or volume; and
 - (vi) batch number.
- (e) ensure that it has material safety data sheet for each lubricant material data sheet;
- (f) inform the Authority or any other relevant authority as soon as practicable, but in any event not more than twenty-four hours after the occurrence of a

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

dangerous situation or incident related to its retail business, or occurring within its lubricant shop, including the steps taken or proposed to be taken to remedy such situation or to eliminate or minimize the danger arising from such situation;

- (g) upon request, make available to the Authority records of the licensed activity;
- (h) not engage in any activity that restricts, disrupts or interferes with competition;
- (i) issue an official receipt bearing its registered name and address in all transactions relating to lubricants which shall specifically set out:
 - (i) its registered name and address;
 - (ii) the quantity and price of the lubricant sold; and
 - (iii) the date of transaction;

Protection of
lives and
property

30. -(1) A wholesaler, a LOB, a distributor and a retailer shall, while storing, keeping, handling, conveying, using or disposing of a lubricant, take such precautions and exercise such care as may be reasonable under the circumstances in order to:

- (a) avoid endangering the safety or health of any person, or the safety of any person's property; and
- (b) prevent significant environmental harm.

(2) A wholesaler and a LOB shall dispose of any waste related to lubricant business in a manner and at a place intended for the safekeeping and dumping of such products pursuant to applicable law and petroleum industry best practices.

Compensation
for loss
suffered

31.-(1) A supplier shall compensate any person who has suffered any loss as a result of a licensed activity or a retail business as the case may be.

(2) Any person who has suffered loss as a result of a licensed activity may lodge a complaint with a supplier whose licensed activity or retail business, as the case may be, has caused such loss with a view to reaching an amicable settlement.

(3) In the event no settlement is reached under subrule

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

Cap. 414 (2), the person who has suffered loss may refer the matter to the Authority for decision and the Authority shall deal with such matter as if it is a complaint lodged pursuant to the provisions of the EWURA Act.

(4) For the purpose of this rule, a person includes an administrator, executor or executrix of the estate of a deceased person.

Insurance 32. A supplier shall ensure that it procures and maintains adequate insurance cover for the licensed activity.

Maintenance of records, provision and disclosure of information 33. - (1) Every wholesaler, LOB or distributor shall at all times:

(a) keep complete and accurate records and data related to its licensed activity; and

(b) in accordance with the Authority's requirements and pursuant to its directives, promptly provide to the Authority documents, records or information related to its licensed activity.

(2) Any person who refuses to furnish information or statement as required under subrule (1) (b) or furnishes false information or statement to the Authority shall be liable to a fine of not less than twenty million Tanzania Shillings or to imprisonment for a term of not less than five years or both.

Confidential Information 34.-(1) Any information received by the Authority from a supplier pursuant to these Rules and applicable law shall be presumed not to be confidential.

(2) A supplier shall not be entitled to withhold information from the Authority on the ground that it is confidential.

(3) A supplier may request the Authority not to circulate specific data or information that it has provided to the Authority, provided, that only the Authority shall determine that such information is confidential.

(4) The Authority shall limit or prohibit the publication of any information to the public in the event it makes a determination that such information is confidential.

PART V
ENVIRONMENTAL PROTECTION

Compliance
with
environmental
laws and
standards

35. -(1) Every supplier shall comply with the requirements of all applicable environmental laws and standards related to a licensed activity.

(2) Subject to applicable law a wholesaler, distributor or a LOB shall:

- (a) carry out an environmental impact assessment when establishing a licensed facility, or making a major improvement to an existing facility;
- (b) take all necessary preventive measures to avoid pollution resulting from its licensed activity;
- (c) observe strict environmental, health, and industrial safety standards as required by applicable law; and
- (d) perform an environmental audit related to licensed activity in accordance with applicable law.

(3) For the purpose of subrule (2) (a) the term “major improvement” means an improvement that aims at expanding the size of the licensed facility and increasing the number of storage tanks.

Consequences
of violation of
licence
conditions

Cap. 191

36. The Authority shall, in the event it determines that a supplier has violated any of the licence conditions, the Act, these Rules or any applicable law on matters related to the protection of environment, take appropriate actions pursuant to the provisions of the Environmental Management Act.

PART VI
TECHNICAL OBLIGATIONS OF A SUPPLIER

Compliance
with
specifications

37.- (1) A supplier shall comply with approved specifications pertaining to the handling, storage and composition of a lubricant which is consistent with these Rules and applicable law.

(2) A supplier shall not deviate from any approved specification without prior approval of the Authority and the Authority shall not grant such an approval unless it is satisfied

that such deviation is for public interest and will not negatively affect public safety and the environment.

Execution of
dealership
agreement

38. – (1) No distributor shall conduct lubricant distribution business unless he has a dealership agreement with a wholesaler.

(2) A wholesaler, shall within thirty days after receipt of a written request for a dealership agreement from a distributor, notify such distributor whether it has accepted or denied such request.

(3) A wholesaler and distributor shall execute and make available to the Authority upon request a dealership agreement.

(4) A wholesaler or distributor may refuse a request for a dealership agreement made by a distributor or a retailer pursuant to subrule (2), as the case may be, where the request made is not economically or technically feasible and may result in a wholesaler being unduly prejudiced.

(5) In the event a wholesaler denies a request for a dealership agreement pursuant to subrule (4) it shall give reasons in writing.

(6) In the event a distributor or retailer is aggrieved by the refusal of the wholesaler or a distributor under subrule (4) or the termination of the dealership agreement under rule 41 the distributor, may refer the matter to the Authority for a decision and the Authority shall deal with such matter as if it is a complaint lodged pursuant to the provisions of Part VI of the EWURA Act.

(7) Notwithstanding the generality of this rule, a distributor shall identify and prepare a list of all distributors and retailers it has a dealership agreement with pursuant to subrule (2).

Provision of
technical
support

39. - (1) A wholesaler shall provide technical support to a distributor with whom it has a dealership agreement and shall ensure that its lubricants distribution business is conducted in accordance with these Rules and its licensed facility complies with the requirements prescribed in these Rules.

(2) A distributor shall

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

- (a) be deemed to be an agent of a wholesaler with whom it has a dealership agreement, and the said wholesaler shall be responsible for all the conducts of the distributor; and
- (b) provide technical support to a retailer with whom it has a dealership agreement and shall ensure that its lubricant retail business is conducted in accordance with these Rules and its retail outlet complies with the requirements prescribed in these Rules.

(3) A retailer shall be deemed to be an agent of a distributor with whom it has a dealership agreement, and the said distributor shall be responsible for all the conducts of the retailer.

Preparation
and
Submission of
a Plan

40. Each wholesaler and distributor shall prepare, maintain and submit an annual plan to the Authority a plan which shall include:

- (a) a list of all distributors or retailers, as the case may be, it has entered into a dealership agreement with pursuant to rule 38;
- (b) a detailed plan on how it shall provide technical support to dealers as required by rule 39; and
- (c) detailed plan on how it will monitor the performance of distributors or retailers, as the case may be, it has entered into a dealership agreement with.

Termination of
dealership
agreement

41.- (1) Any party to a dealership agreement may terminate the dealership agreement, provided a prior notice of sixty days is given to the other party.

(2) Notwithstanding any agreement to the contrary and without prejudice to the provisions of subrule(1), any party to a dealership agreement may terminate the dealership agreement it has entered into, where it determines that the operations of the other party is in violation of these Rules and applicable laws.

Offence

42. Any person who contravenes the provisions of rules

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

40 commits an offence and shall upon conviction be liable to a fine of not less than three million Tanzania shillings or imprisonment for a term of not less than three years or both.

Prohibition to
decant

43. – (1) No person except a brand owner shall decant or repack a lubricant for purposes of sale unless authorized in writing to do so by the Authority.

(2) A distributor duly authorized under subrule (1) shall not decant a lubricant of wholesaler in the absence of the written authorization of:

(a) the lubricants brand owner; or

(b) the entity that is entitled to possess such lubricant.

(3) A distributor duly authorized pursuant to subrule(2) shall, before decanting a container, conduct a thorough inspection of such lubricants container to ensure that it is not damaged.

Prohibition on
under filling

44.– (1) The net lubricant quantity contained in a container shall not be less than the content specified in the container and any shortfall in the lubricant quantity contained shall constitute under filling.

(2) The following circumstances shall raise a presumption that a container is under filled:

(a) a broken seal;

(b) a seal that has been tampered with; or

(c) the absence of a seal.

(3) Possession of an under filled container that has not been so identified or that has not been removed from a licensed facility, shall raise a presumption that such container is for sale.

Reference of
violation to the
certification
authority

45. A wholesaler, LOB or distributor who sells, offers for sale, packs or distributes an under filled container shall be referred to the certification authority for action.

Deceptive
trade practices

46.-(1) A supplier shall not engage in any activity that may deceive, tend to deceive or have the effect of deceiving a customer, with respect to:

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

- (a) the brand name of a lubricant; and
- (b) lubricant's composition, grade or quantity.

(2) Any supplier who contravenes the provisions of subrule (1) shall be liable to a fine of three million Tanzania shillings.

Storage of a
lubricant

47. – (1) A wholesaler, a LOB and a distributor shall:

- (a) locate, construct, maintain and operate its works connected with storage of a lubricant in accordance with these Rules, respective licence, applicable laws and good petroleum industry practices; and
- (b) conduct its licensed activity in such a way so as not to endanger public health or safety.

(2) A wholesaler, a LOB and a distributor shall mark with conspicuous signs the storage tanks and containers of each product.

(3) A wholesaler, LOB and distributor shall, when storing a lubricant, employ appropriate safeguards to ensure that a leak is easily detected.

(4) A LOB shall, where it intends to replace or install equipment at a licensed facility or a part thereof, notify the Authority not less than thirty days prior to commencing such replacement or installation in order to allow the Authority to make necessary inspection and issue necessary approvals.

Provision for
fire
extinguishing
equipment

48.-(1) A wholesaler, a LOB and a distributor shall provide and maintain adequate fire extinguishing equipment at a licensed facility as required by applicable law and Good Petroleum Industry Practices.

(2) A wholesaler, a LOB and a distributor shall, not less than once a year, test the fire extinguishing equipment pursuant to its specification and applicable law.

Preparation of
fire emergency
plan

49. A LOB shall establish a fire emergency plan to be employed in the event of a fire at a licensed facility that shall:

- (a) include a suitable and adequate fire-fighting plan

that comprises:

- (i) the locations and types of all fire-fighting equipment; and
- (ii) an action plan that identifies, *inter alia*, assembly points and the tasks of all employees;
- (b) include provisions for the training of employees to deal with a fire emergency situation, the records of which shall be preserved;
- (c) be provided to employees employed in or on the licensed facility; and
- (d) be made available to the Authority on request.

PART VII
LUBRICANTS SAMPLING AND TESTING
PROCEDURES

Sub-Part I
Sampling Process

Sampling

50.-(1) The Authority shall conduct sampling and testing of lubricants in accordance with the Act and these Rules.

(2) The Authority shall, upon receipt of any complaint or on its own motion, take samples of and test any petroleum product from any licensed facility, transport unit or lubricant shop:

(3) A supplier shall ensure that an operator is present at a licensed facility, transport unit or lubricant shop at all times.

Preliminaries
to sampling

51.-(1) Upon arrival at a licensed facility, transport unit or lubricant shop and having identified themselves, inspectors shall take samples and deliver to an operator, driver or to any employee working at a licensed facility, transport unit or a lubricant shop the sample collection form prescribed in Sixth Schedule to these Rules for signing.

(2) An operator, driver or any employee working at a licensed facility, transport unit or a lubricant shop shall be required to:

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

- (a) co-operate with inspectors;
- (b) comply with any instructions or requests made by inspectors pursuant to their mandate; and
- (c) grant inspectors unhindered access to any document, the licensed facility, transport unit and lubricant shop as appropriate.

How samples
are to be taken

52. - (1) Inspectors shall, in each sampling process, take three samples of any type of a lubricant from a licensed facility, transport unit or lubricant shop.

(2) A sample of a lubricant referred in subrule (1) shall be taken from a lubricant container in the following manner:

- (a) for a 3 litre and above container, the container will be opened and the sample distributed into three portions of one litre each; and
- (b) for a less than 3 litre container, individual containers amounting to 3 litres in total shall be distributed in 3 equal portions.

(3) Lubricant samples for testing shall only be taken by an inspector using a container that meets approved specifications.

(4) An inspector shall ensure that each sample taken is:

- (a) properly labelled;
- (b) witnessed by an operator, driver or any other employee and an inspector; and
- (c) sealed properly with the seal of the Authority.

Sample
collection
forms to be
signed

53.-(1) An inspector shall complete the sample collection form prescribed in the Sixth Schedule to these Rules as appropriate that shall then be counter-signed by an operator.

(2) Inspectors shall in the event that an operator, driver or any employee working at a licensed facility, transport unit or lubricant shop refuses or fails to counter-sign the sample collection form, note that such operator, driver or employee has failed or refused to sign the form.

(3) An inspector shall, in respect of the samples described in rule 52 (1) and (2):

- (a) deliver one sample to an operator, driver or any

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

- employee working at a licensed facility, lubricant shop or a transport unit to be conserved for possible re-testing;
- (b) deliver one sample to one of the laboratories selected pursuant to rule 56 (1) for testing; and
- (c) conserve one sample in the Authority's storage facility for possible re-testing.
- (4) The Authority shall properly maintain the document pursuant to chain of custody of the samples described in subrule (3).

Operator,
driver or
employee to
witness and
facilitate the
sampling
exercise

54. -(1) An operator, a driver or any employee working at a licensed facility, lubricants shop or a transport unit as the case may be shall, during the sampling process:
- (a) be entitled to witness the entirety of the sampling process; and
 - (b) facilitate the sampling process in any way that the inspectors may require.
- (2) Lubricants samples shall be retained by the Authority and the operator not longer than two months after the date of collection.

Offence

55. - Any person who contravenes the provisions of rule 51 or rule 53 shall be liable on conviction to a fine of not less than five million Tanzania Shillings or to imprisonment for a term of not less than three years or both:

Sub-Part II

Lubricants Testing and Re-testing Procedures

Selection of
qualified
laboratories

- 56.-(1) The Authority shall select a laboratory qualified to test lubricant samples in accordance with the approved specification.
- (2) The Authority shall, while selecting a laboratory pursuant to subrule(1) consider the following:
- (a) the ability of the laboratory to conduct specific tests pursuant to the approved specification;
 - (b) whether the laboratory is equipped with up-to-date

and calibrated instruments, and supplies consistent with the scope and volume of tests to be conducted;

- (c) the laboratory's reputation in the community on matters of professionalism and ethical behaviour;
- (d) information related to the laboratory's participation in voluntary accreditation programme and its current certification status;
- (e) ease of communication, particularly in respect of questions arising; and
- (f) timely delivery of test results.

(3) The costs for sampling and testing a lubricant shall be borne by the Authority.

(4) The Authority shall, not more than seven working days after receiving the results from a laboratory, notify the operator in writing of the results whether conforming or non-conforming, and it shall thereafter:

- (a) take no further action where test results indicate that a sample is conforming to approved specifications; or
- (b) deal with the operator in accordance with rule 64 (1) where the test results indicate that a sample is non-conforming to approved specifications.

Re-testing
process

57.-(1) The Authority may in the event that any person disputes the results under rule 56 (4), conduct a re-test of the samples pursuant to these Rules and the costs of re-testing shall be borne by the person disputing the first results.

(2) Notwithstanding the provisions of subrule (1) the re-test of the samples shall only be done where:

- (a) the Authority has received a request in writing for a re-test;
- (b) the seals of the sample to be tested remain intact and the samples are not tampered with; and
- (c) re-test costs have been fully paid by the disputing person.

(3) In the event that the Authority determines to re-test a sample, the Authority shall recover the sample conserved by the operator pursuant to rule 53(3) (b) and the sample

conserved by the Authority pursuant to rule 53(3) (c) to be re-tested in two separate laboratories selected by the Authority pursuant to rule 56 (1); provided, however, that no testing shall be conducted by a laboratory that was involved in the first testing process.

Right to
witness re-test

58.-(1) The operator, the complainant or their representatives shall have the right to witness a re-test.

(2) In the event that an operator, complainant or their representatives refuse or fail to appear for the re-testing described in subrule (1), such operator, complainant or their representative shall be deemed to have:

- (a) waived its right to witness the re-test; and
- (b) authorized the Authority to proceed with the re-testing in their absence.

(3) After receipt of the results of the re-testing, the Authority shall:

- (a) make a final determination on the test results from the two laboratories taking into account the results of the first test; and
- (b) notify the operator or any other person disputing the results of such determination.

(4) The results of the re-testing process shall be final.

Sub-Part III

Procedures on Inspection of a Licensed Facility or a Transport Unit

Procedure for
inspection of
licensed
facility,
lubricant shop
or transport
unit

59.- (1) An inspector may, at any time, inspect a licensed facility, lubricant shop, transport unit or any document related to the conduct of a licensed activity to ensure compliance with applicable law.

(2) An operator shall render all necessary assistance to facilitate any inspection of its licensed facility, lubricant shop or transport unit pursuant to subrule(1).

- (3) During inspection, an inspector may:
- (a) take a sample of any lubricant; or

(b) make a copy or take an extract from any book, data base, account or record kept at the licensed facility, lubricant shop, transport unit or any other place.

(4) An inspector may, during the course of an inspection, break any seal for the purpose of taking a sample, provided, however, that such inspector shall thereafter affix the Authority's seal.

(5) The Authority may seek the assistance of law enforcement authorities, including the police force, in carrying out an investigation, inspection or impoundment of a transport unit.

Offence

60.— Any person who contravenes the provisions of rule 59 (2) commits an offence and shall upon conviction be liable to a fine of not less than twenty million Tanzania Shillings or imprisonment for a period of not less than three years or both.

Sub-Part IV

Procedures on Impoundment of a Transport Unit

Procedures for
impounding
transport unit

61.-(1) An inspector may impound any transport unit where they determine that the lubricant brand found is not registered by the Authority for use in Mainland Tanzania.

(2) The Authority shall carry out stock taking of the non-registered lubricant brand found under subrule (1); the stocktaking shall be witnessed by the operator.

(3) The Authority shall affix its seal on any transport unit after impounding it and no person shall offload any lubricant from such transport unit without prior authorization of the Authority.

(4) The Authority may seek the assistance of law enforcement authorities, including the police force, in impounding a transport unit.

(5) After the Authority has impounded a transport unit pursuant to subrule(1) it shall without prejudice to the penalties spelt out in these Rules and the Act, order the operator to dispose such products in accordance with Good Petroleum Industry Practices and environmental laws.

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

(6) Possession of a brand of lubricants cylinder that has not been registered with the Authority, shall raise a presumption that such lubricant is non- conforming.

Release of
impounded
transport unit

62.- A transport unit which has been impounded under the provisions of rule 61 (1) shall only be released upon the Authority being satisfied that:

- (a) the non-conforming lubricants therein have been disposed of in accordance with petroleum industry best practices and environmental laws;
- (b) the operator has paid the appropriate fine pursuant to these Rules; and
- (c) the Authority has issued an order in writing for therelease of such unit.

Exemption from
liability

63. -Notwithstanding the provisions of rules 61 and 62 the Authority is exempted from any liability arising from the impoundment of any transport unit, and all the costs associated with the impoundment and safe keeping of such transport unit shall be borne by an operator.

Sub-Part V

Penalties for Non-Conforming Products

Penalties for
non-conforming
products

64.-(1) Any operator found with non-conforming petroleum product shall be liable on conviction to a fine of;

- (a) for a lubricant oil blender, ten million Tanzania shillings or imprisonment for a term of not less than three years or both;
- (b) for a wholesaler, seven million Tanzania shillings or imprisonment for a term of not less than three years or both;
- (c) for a distributor, six million Tanzania shillings or imprisonment for a term of not less than three years or both; and
- (d) for retailer , five million Tanzania shillings or imprisonment for a term of not less than three years or both.

(2) Without prejudice to the penalty prescribed in

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

subrule (1), the Authority may, in the event of non-conforming, order the operator found with such products to:

- (a) stop the operator from transferring the lubricant to another operator, selling or offering for sale the non-conforming product;
- (b) order the operator, under the supervision of the Authority, to dispose of the non-confirming product in accordance with Good Petroleum Industry Practices and environmental laws; and
- (c) order the operator to compensate any person who has lodged and proved a complaint for any damage caused by such non-conforming lubricants.

(3) The Authority may seek the assistance of other authorities, including the police force, in the process of disposing off a non-confirming product under subrule (1).

(4) Notwithstanding the provisions of subrule (1) and (2) the Authority shall revoke a licence of any habitual offender.

Licensed facility
that has its
licence revoked

65.-Any licensed facility of which a licence has been revoked pursuant to rule 64 (4) shall remain closed and not be eligible for issuance of a licence for a period of twelve months from the date of revocation.

Temporary
closure of a
facility or
impounding of a
transport unit

66. -The Authority may, upon taking a lubricant sample pursuant to these Rules, order the temporary closure of the licensed facility or part thereof, or impound a transport unit pending release of the test results of the samples taken where:

- (a) the Authority determines that continuing the operations of a licensed facility or the transport unit will pose an imminent risk of injury to life or damage to property and the environment;
- (b) the Authority finds that several complaints have been filed with the Authority against the same operator;
- (c) the Authority has obtained provisional results indicating that the tested lubricants are non-conforming; or
- (d) the operator admits that the sample lubricants are

non-conforming.

Reference to
TRA and other
government
institutions

67.- Notwithstanding the provisions of these Rules and any other penalties prescribed in the Act the Authority shall refer to TRA or any other relevant authority any person found with non-conforming lubricants where it believes that there were attempts by such person to defraud the Government of its revenue.

Sub-Part VI

Disposal of a Non-Conforming Products

Disposal of a
non-conforming
products

68.-(1) An operator whose product has been disposed of pursuant to rule 65 (1) shall in addition be liable to pay the appropriate fine pursuant to these Rules within 7 days of the product being disposed off.

(2) Failure by the operator to pay the fine pursuant to subrule(1) shall have its licenced facility, transport unit or lubricant shop as appropriate, closed until the fine is paid in full and the Authority has issued an order in writing for re-opening.

Penalties for
tampering,
cutting seals and
tapes or
removing any
signage to
licensed facility
or Transport Unit

69.-Any person who:

- (a) tampers with a non-conforming product barred by the Authority pursuant to rule 64(1) (a); or
- (b) removes any signage affixed by the Authority at a licensed facility, lubricant shop or a transport unit,

commits an offence and shall on conviction be liable to a fine of two million Tanzania Shillings or imprisonment for a term not more than three years, or both.

PART VIII

COMPLIANCE AND ENFORCEMENT

Inspection of
licensed facility

70.-(1) The Authority may, at any time, inspect a licensed facility, transport unit or a lubricant shop pursuant to

these Rules and applicable law.

(2) The Authority may inspect a licensed facility, equipment or documents, and an operator, shall render such assistance to inspectors as may be required in the course of such inspection.

(3) Notwithstanding the generality of subrule (2) an inspector may, with an Order in hand, enter upon any lubricant shop for the purpose of conducting an inspection.

(4) During inspection, an inspector may:

- (c) take samples of any substance or equipment or articles stored in a licensed facility or a lubricant shop;
- (a) make copies or take extracts from any book, accounts or records kept on a licensed facility or a lubricant shop;
- (b) inspect machinery, equipment, appliances, meters, fittings and apparatus; and
- (c) inspect any transport unite that is found at a licensed facility or a lubricant shop.

Notification of
offences

71.- (1) At the conclusion of an inspection and where it is found that there was violation of the provisions of the Act, EWURA Act and these Rules, the person responsible for such violation, shall:

- (a) where he disputes the offence, fill in Part A of the Notification of the offence prescribed in the Seventh Schedule o these Rules; or
- (b) where he admits the offence, fill in Part B of the Notification of the offences prescribed in the Seventh Schedule to these Rules.

(2) Any person who has been found in violation of the law and who has admitted to the offence under the provision of subrule (1) (a), shall, within fourteen days, from the day of the said admission, be required to pay the fine prescribed by the Authority.

(3) Any person who has been found in violation of the law and who disputes the offence under the provision of subrule (1) (b), shall, within seven days from the date of commission of the offence, be required to answer the charges in

writing.

(4) Upon the conclusion of the inspection and where the inspector is satisfied that the continued operation of the transport unit or a facility poses an imminent danger to the lives of people and animals or destruction of property, he may proceed to order for the closure or impoundment, as the case may be, of the said facility or transport unit regardless of whether the said person has admitted to the offence or not.

(5) Notwithstanding the provisions of subrule(4), an inspector who has decided to close a facility or to impound a transport unit, shall note down the reasons which have compelled him to take such decision including all the available evidences.

Offence

72. Any person who refuses to sign in the notification of offence upon being required by an inspector under rule 71 (1) commits an offence and shall, be liable to a fine not less than five million Tanzania shillings or imprisonment for a term not less than three years or both.

Issuance of
compliance
orders

73. The Authority may, while discharging its regulatory functions and where it finds that there is a continued violation of the provisions of the Act, the EWURA Act and the provisions of these Rules, issue a compliance order to the person responsible for such violation.

(2) An inspector may, while discharging his obligation under subrule(1), seek the assistance of law enforcement institutions including the police and such institution shall provide the requested assistance to the inspector.

Obligations of
inspector during
Inspection

74. - (1) During inspection an inspector shall be required to do the following:

- (a) identify himself to a licensee or customer with an identity card issued by the Authority;
- (b) explain to a licensee or customer the purpose of the inspection;
- (c) conduct himself with fairness, objectivity and integrity;
- (d) not engage in any form of discrimination, bias or

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

harassment;

- (e) refrain from taking part in a duty that has or may appear to have a conflict of interest;
- (f) carry out inspection in a professional manner in accordance with the requirements of these Rules, codes, guidelines, inspection checklist, standards, applicable laws and Petroleum industry best practices ; and
- (g) not use force or abusive, threatening and insulting language to a supplier.

(2) Any inspector who contravenes the provision of subrule (1) shall be dealt with in accordance with the Authority's procedures.

(3) Any person aggrieved by an act of an inspector during inspection may, within fourteen days from the date of the act, report the matter in writing to the Authority.

Prohibited acts
against
inspectors

75. -(1) A supplier shall not:

- (a) hinder or obstruct an inspector in the exercise of any of the powers conferred upon him under these Rules;
- (b) use abusive, threatening or insulting language to an inspector;
- (c) deny or fail to comply with a requirement, direction or notice of an inspector; and
- (d) when required by an inspector to answer a question, deny or fail to answer such question to the best of his knowledge, information and belief.

(2) Any person who contravenes the provision of subrule (1) commits an offence and shall be liable, to a fine of five million Tanzania shillings or to imprisonment for a term not exceeding two years or both.

Decommissionin
g procedure

76.-(1) A licensed facility may, subject to the provisions of this rule, be decommissioned:

- (a) after receipt of a written application for decommissioning from a LOB;

- (b) by an order of the Authority where it is satisfied that such facility has been abandoned by its licensee for a period not less than three months; or
- (c) by an order of the Authority that the same be decommissioned after the Authority is satisfied that the continued operation of such facility poses danger to lives and property.

(2) A LOB shall in the event that it seeks to decommission a licensed facility, notify the Authority not less than thirty days prior to such decommissioning in order to enable the Authority to make necessary inspections and issue necessary approvals.

(3) Notwithstanding any provision of these Rules, a LOB shall pay all costs associated with the decommissioning of a licensed facility, whether such decommissioning has been done following the request by the LOB or by Order of the Authority, as the case may be.

Site restoration

77.- (1) A LOB shall, prior to decommissioning a licensed facility, restore the licensed facility to its original state so that it does not pose a threat to the environment or the safety and health of the public.

(2) The Authority shall, after completion of the restoration of a licensed facility to its original state by a LOB, issue a certificate of compliance to a LOB confirming such restoration.

(3) For the purposes of sub- rule (1) “restore to its original state” means:

- (a) to return the area in which a licensed facility is located to its original and natural state as it was before the construction and installation of the licensed facility; or
- (b) to render the area in which the licensed facility is located, or part thereof, compatible with its intended after-use, including:
 - (i) removing buildings, structures, plant and debris;
 - (ii) establishing compatible contours and drainage;

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

(iii) replacing top soil, re-vegetation, slope stabilization; and

(iv) infilling of excavations.

(4) The Authority shall, before issuing a certificate of compliance under subrule (2), consult National Environmental Management Council.

PART IX

GENERAL PROVISIONS

Appeal

78. Any person who is aggrieved by the decision of the Authority under rules 6, 9, 19, 21, 23, 24 or 25 may lodge an appeal to the Tribunal pursuant to the provisions of the Fair Competition Act.

Revocation of
GN No 377/2018

79.- (1) The Petroleum (Lubricants Operations) Rules, 2018 is hereby revoked.

(2) Notwithstanding the revocation of the Petroleum (Lubricants Operations) Rules, 2014 and the Petroleum (Lubricant Sampling and Testing) Rules, 2014, all orders, exemptions or directives made or issued or deemed to have been made or issued under those rules shall be deemed to have been made under these Rules, and shall remain in force until revoked or otherwise expire or cease to have effect.

Authority to
supplement
procedures

80. Where procedures are not provided for in these Rules, the Authority may do whatever is necessary and permitted by the Act, the EWURA Act and applicable law to enable it to effectively and completely adjudicate on any matter before it.

FIRSTSCHEDULE

(Made under Rule 4(2))

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

LUBRICANT BLENDING CONSTRUCTION APPROVAL

For EWURA Use Only	
Date Received:	File Number:
Time Received:	Received by:

IMPORTANT NOTE: Please complete this form and submit it to the Director General through the address above together with all relevant enclosures.

In order to avoid unnecessary delays, please answer all items in full and submit to EWURA a complete form with all necessary enclosures. No application will be processed until it has been found to be complete.

Once complete and ready for submission, PRINT USING BLUE OR BLACK INK ONLY. Where options are given, tick the relevant box. Leave no item unanswered or un-ticked. If an item seems not applicable to the specific application, you should indicate with block capitals N/A meaning Not Applicable. All separate sheets of information must be on a clean and clear A-4 paper.

	PART I: DETAILS OF THE APPLICANT
1.	Name of Applicant (Insert trading name), business address, telephone and fax numbers (a) Name of the Applicant:..... (b) Business address: Street.....Plot No..... Block No.....Building No..... (c) Postal Address: (d) Telephone No: (e) Facsimile:Cell Phone..... (f) E-Mail:
2.	Location and complete address of the proposed facility (a) Location: Street.....Plot No..... Block No.....Building No..... (b) Postal Address:
3.	Registration Status: <i>(Fill Where Appropriate)</i>

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

	(a) Certificate of Incorporation No..... (b) Certificate of Compliance No..... (c) Business license No..... (d) TIN No. (e) VAT No.....
4.	Legal status of the Applicant: ☐ Sole Proprietorship ☐ Partnership ☐ Public Limited Liability Company ☐ Private Limited Liability Company ☐ Parastatal Organization ☐ Government Agency ☐ Cooperative Society ☐ Joint Venture ☐ Other (specify)..... <i>(if not sole proprietor please attach the registration documents)</i>
5.	Contact Person: (a) Name: (b) Title: (c) Physical address: Street.....Plot No.....Block No..... Building No..... (d) Postal Address: (e) Telephone Number: (f) Facsimile:Cell phone: (g) E-mail:
6.	Provide on a Separate Sheet Information Related to the Applicant where applicable: ☐ Shareholding Arrangements ☐ Director(s) ☐ Members of the Board of Directors ☐ Chief Executive Officer (where applicable)
7.	If the applicant is in a Joint Venture with another entity, provide the following details: (a) Name: (b) Title: (c) Physical address: Street.....Plot No.....Block No..... Building No.....

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

	(d) Postal Address: (e) Telephone Number: (f) Facsimile:Cell phone: (g) E-mail:
8.	Fee amount and method of payment: (a) Amount: TZS..... (b) Mode: ☐ Cash ☐ Cheque ☐ Other (specify)..... (c) Fees Payment Receipt No. (<i>Attach Copy</i>).....
PART II- LIST OF ENCLOSURES	
9.	Please attach your application with the following documents and indicate them where necessary; ☐ Certificate of Registration ☐ Certificate of compliance for a foreign company ☐ Certificate of Incorporation ☐ Memorandum of Association ☐ Articles of Association ☐ Copy of Application Fee Receipt ☐ Joint venture (where applicable) ☐ Extracts of the Certified Audited Accounts/ Financial statement ☐ Approvals and Consents by relevant authorities ☐ Building Permit ☐ Proof of possession on use of land ☐ Environmental Impact assessment ☐ Business or project plan ☐ Business license ☐ Engineering layout plan duly signed by a registered engineer ☐ Other (Specify)..... NB:Engineering drawings duly signed by a registered engineer shall specify the following: (a) the number of tanks and loading gantries; (b) the location and distances between building structures and facilities and equipment; (c) entry and exit; (d) perimeter wall and property boundaries; (e) location and identification of loading gantries; and (f) that the engineering and design has been done in accordance with approved specifications
PART III – DECLARATION BY THE APPLICANT	

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

10	I..... (insert name) being..... (insert title/position) hereby declare that I am authorized to make this application on behalf of the applicant and that to the best of my knowledge the information supplied herein is correct and that within a reasonable period of time after notice, I undertake to provide whatever additional information EWURA may require in order to evaluate this application. SWORN/AFFIRMED at..... by the said.....who is identified to me by...../known to me personally the latter being known to me personally thisday of2018 DECLARANT BEFORE ME: _____ COMMISSIONER FOR OATHS NOTE: If this application form is completed electronically it must be printed out, signed before a Commissioner of Oaths and submitted with the necessary supporting documents and submitted to the EWURA Headquarter office or at Zonal Offices
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Petroleum (Lubricants Operations)

GN NO.50 (contd.)

SECOND SCHEDULE
(Made under Rule 16)

FORMS FOR LICENCE APPLICATION

FORM 1.1: LUBRICANT WHOLESALE LICENCE

For EWURA Use Only	
Date Received:	File Number:

IMPORTANT NOTE: Complete this form and return it with all other relevant enclosures to the Director General at the above address.

In order to avoid unnecessary delays, answer fully all items and submit to EWURA all of the information required to consider this application. EWURA will not process this application until it has been found to be complete.

Where options are given, tick the relevant box. Leave no item unanswered or un-ticked. If an item seems not applicable to the specific application, you should indicate with block capitals N/A meaning Not Applicable. You should ensure that all required documentation are enclosed and that each separate sheet of information attached to the application corresponds to a specific item in the application.

	PART I: DETAILS OF THE APPLICANT
1.	Name of Applicant (Insert trading name)

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

2.	Registration Status: <i>(Fill Where Appropriate)</i> (a) Certificate of Incorporation No..... (b) Memorandum and Articles of Association (where applicable) (c) Business license No..... (d) TIN No. (e) VAT No.....
3.	Physical and postal Address of the retail outlet: (a) Physical address: Street.....Plot No..... Block No.....Building No..... (a) Postal Address: (b) Telephone No: (c) Facsimile:Cell Phone..... (d) E-Mail:
4.	Legal status of the Applicant: ☐ Sole Proprietorship ☐ Partnership ☐ Public Limited Liability Company ☐ Private Limited Liability Company ☐ Parastatal Organization ☐ Government Agency ☐ Cooperative Society ☐ Joint Venture ☐ Other (specify).....
5.	Contact Person: (a) Name: (b) Title: (c) Physical address: Street.....Plot No.....Block No..... Building No.....:

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

	(d) Postal Address: (e) Telephone Number: (f) Facsimile:Cell phone: (g) E-mail:
6.	Application Fee and Method of Payment: (a) Amount: TZS..... (b) Mode: ☐ Cash ☐ Cheque ☐ Other (specify)..... (c) Fees Payment Receipt No. (Attach Copy).....
	PART II – ENCOLOSURE
7.	Attach the following documents/ permits issued by relevant authorities(where appropriate) : ☐ Business license ☐ Certificate of incorporation ☐ Certificate of Compliance ☐ Memorandum and Article of Association ☐ TIN certificate. ☐ VAT Certificate ☐ Proof of ownership or lease of the warehouse (the proof should include an emergency exit, sufficient ventilation, spillage containment and adquate fire fighting equipment) ☐ Oil and Lubricant handling permit ☐ adquate skilled personnel (personnel's profile) ☐ proof of financial capability being either previous year's audited financial statements showing an annual gross turnover of not less than Two hundred million Tanzania Shillingsor a bank statement showing a credit balance of not less than two hundred million Tanzania Shillingsor a bank guarantee or a credit facility of not less than two hundred million Tanzania Shillingsor an unequivocal letter of comfort from a financial institution or a bank that confirms that the bank or the financial institution shall extend a loan to the applicant for the amount not less than two hundred million Tanzania Shillings ☐ OSHA certificate ☐ Business plan ☐ Memoranda of understanding (if any) governing commercial transactions of regulated goods and services. ☐ Duly filled integrity pledge form ☐ Any other.
	PART III – DECLARATION BY THE APPLICANT
8.	I..... (insert name) being..... (insert title/position) hereby declare that I am authorized to make this application

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

	on behalf of the applicant (<i>insert the name of the applicant.....</i>). I further declare that to the best of my knowledge the information supplied herein are correct. SWORN/AFFIRMED at..... by the said.....who is identified to me by...../known to me personally the latter being known to me personally thisday of2018 DECLARANT BEFORE ME: COMMISSIONER FOR OATHS NOTE: If this application form is completed electronically it must be printed out, signed before a Commissioner of Oaths and submitted with the necessary supporting documents and submitted to the EWURA Headquarter office or at Zonal Offices
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FORM 1.2: LUBRICANT DISTRIBUTION LICENCE

For EWURA Use Only	
Date Received:	File Number:

IMPORTANT NOTE: Complete this form and return it with all other relevant enclosures to the Director General at the above address.

In order to avoid unnecessary delays, answer fully all items and submit to EWURA all of the information required to consider this application. EWURA will not process this application until it has been found to be complete.

Where options are given, tick the relevant box. Leave no item unanswered or un-ticked. If an item seems not applicable to the specific application, you should indicate with block capitals N/A meaning Not Applicable. You should ensure that all required documentation are enclosed and that each separate sheet of information attached to the application corresponds to a specific item in the application.

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

	PART I: DETAILS OF THE APPLICANT
1.	Name of Applicant (Insert trading name)
2.	Registration Status: <i>(Fill Where Appropriate)</i> (a) Certificate of Incorporation No..... (b) Memorandum and Articles of Association (where applicable) (c) Business license No..... (d) TIN No. (e) VAT No.....
3.	Physical and postal Address of the retail outlet: (a) Physical address: Street.....Plot No..... Block No.....Building No..... (a) Postal Address: (b) Telephone No: (c) Facsimile:Cell Phone..... (d) E-Mail:
4.	Legal status of the Applicant: ☐ Sole Proprietorship ☐ Partnership ☐ Public Limited Liability Company ☐ Private Limited Liability Company ☐ Parastatal Organization ☐ Government Agency ☐ Cooperative Society ☐ Joint Venture ☐ Other (specify).....
5.	Contact Person:

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

	(a) Name: (b) Title: (c) Physical address: Street.....Plot No.....Block No..... Building No.....: (d) Postal Address: (e) Telephone Number: (f) Facsimile:Cell phone: (g) E-mail:
6.	Application Fee and Method of Payment: (a) Amount: TZS..... (b) Mode: ☐ Cash ☐ Cheque ☐ Other (specify)..... (c) Fees Payment Receipt No. (<i>Attach Copy</i>).....
	PART II – ENCOLOSURE
7.	Attach the following documents/ permits issued by relevant authorities(where appropriate) : ☐ Business license ☐ Certificate of incorporation ☐ Certificate of Compliance ☐ Memorandum and Article of Association ☐ TIN certificate. ☐ VAT Certificate ☐ adequate skilled personnel (personnel's profile ☐ OSHA certificate ☐ Memorandum of understanding (if any) governing commercial transactions of regulated goods and services. ☐ Duly filled integrity pledge form ☐ Any other.
	PART III – DECLARATION BY THE APPLICANT
8.	I..... (insert name) being..... (insert title/position) hereby declare that I am authorized to make this application on behalf of the applicant (<i>insert the name of the applicant.....</i>). I further declare that to the best of my knowledge the information supplied herein are correct. SWORN/AFFIRMED at..... by the said.....who is identified to me by...../known to me personally

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

	the latter being known to me personally this DECLARANTday of2018 BEFORE ME: _____ COMMISSIONER FOR OATHS NOTE: If this application form is completed electronically it must be printed out, signed before a Commissioner of Oaths and submitted with the necessary supporting documents and submitted to the EWURA Headquarter office or at Zonal Offices
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FORM 1.3: LUBRICANT BLENDING LICENCE

For EWURA Use Only	
Date Received:	File Number:

IMPORTANT NOTE: Complete this form and return it with all other relevant enclosures to the Director General at the above address.

In order to avoid unnecessary delays, answer fully all items and submit to EWURA all of the required information. You may submit your application electronically or by delivering the same to EWURA offices. EWURA will not process this application until it has been found to be complete.

Where options are given, tick the relevant box. Leave no item unanswered or un-ticked. If an item seems not applicable to the specific application, you should indicate with block capitals N/A meaning Not Applicable. You should ensure that all required documentation are enclosed and that each separate sheet of information attached to the application corresponds to a specific item in the application.

	PART I: DETAILS OF THE APPLICANT
1.	Name of Applicant (Insert trading name)

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

2.	Registration Status: <i>(Fill Where Appropriate)</i> (a) Certificate of Incorporation No..... (b) Memorandum and Articles of Association (where applicable) (c) Business license No..... (d) TIN No. (e) VAT No.....
3.	Physical and postal Address of the retail outlet: (a) Physical address: Street.....Plot No..... Block No.....Building No..... (a) Postal Address: (b) Telephone No: (c) Facsimile:Cell Phone..... (d) E-Mail:
4.	Legal status of the Applicant: ☐ Sole Proprietorship ☐ Partnership ☐ Public Limited Liability Company ☐ Private Limited Liability Company ☐ Parastatal Organization ☐ Government Agency ☐ Cooperative Society ☐ Joint Venture ☐ Other (specify).....
5.	Contact Person: (a) Name: (b) Title: (c) Physical address: Street.....Plot No.....Block No..... Building No.....:

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

	(d) Postal Address: (e) Telephone Number: (f) Facsimile:Cell phone: (g) E-mail:
6.	Application Fee and Method of Payment: (a) Amount: TZS..... (b) Mode: ☐ Cash ☐ Cheque ☐ Other (specify)..... (c) Fees Payment Receipt No. (<i>Attach Copy</i>).....
	PART II – ENCOLOSURE
7.	Attach the following documents/ permits issued by relevant authorities(where appropriate) : ☐ Building Permit ☐ Land Title ☐ Business license ☐ Certificate of incorporation ☐ Certificate of Compliance ☐ Memorandum and Article of Association ☐ TIN certificate. ☐ VAT Certificate ☐ Proof of ownership or lease of the warehouse (the proof should include an emergency exit, sufficient ventilation, spillage containment and adequate fire fighting equipment) ☐ Oil and Lubricant handling permit ☐ adequate skilled personnel (personnel's profile) ☐ proof of financial capability being either previous year's audited financial statements showing an annual gross turnover of not less five hundred million Tanzania Shillings or a bank statement showing a credit balance of not less than five hundred million Tanzania Shillings or a bank guarantee or a credit facility of not less than five hundred million Tanzania Shillings or an unequivocal letter of comfort from a financial institution or a bank that confirms that the bank or the financial institution shall extend a loan to the applicant for the amount not less than five hundred million Tanzania Shillings ☐ List of wholesaler and retailer the Applicant is intending to distribute them with Lubricant ☐ Environmental Impact Assessment certificate ☐ OSHA certificate ☐ Fire Certificate from the Fire Department ☐ Contracts or Agreements

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

	☐ Memoranda of understanding (if any) governing commercial transactions of regulated goods and services. ☐ Duly filled integrity pledge form ☐ Any other.
	PART III – DECLARATION BY THE APPLICANT
8.	I..... (insert name) being..... (insert title/position) hereby declare that I am authorized to make this application on behalf of the applicant (<i>insert the name of the applicant.....</i>). I further declare that to the best of my knowledge the information supplied herein are correct. SWORN/AFFIRMED at.....) by the said.....who is identified to) me by...../known to me personally) the latter being known to me personally this) DECLARANT day of20...) BEFORE ME: _____ COMMISSIONER FOR OATHS NOTE: If this application form is completed electronically it must be printed out, signed before a Commissioner of Oaths and submitted with the necessary supporting documents and submitted to the EWURA Headquarter office or at Zonal Offices

THIRD SCHEDULE

INTEGRITY PLEDGE

(Made Under rule 17)

1. We do believe that, unethical business practices and corruption have been one of the biggest impediments to sustainable economic

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

growth and prosperity in Tanzania and have been eroding public confidence in the Government and its institutions ability to serve its citizen fairly;

2. As a company involved in petroleum activities in Tanzania, we acknowledge our responsibility to ensure good governance because it is necessary for continued growth and business sustainability. We also acknowledge the importance of conducting our business with the highest standards of transparency, ethics and integrity;

3. While the Government and the Prevention and Combating of Corruption Bureau (PCCB) have their own initiatives for reducing corruption and other unethical practices, we realize that those initiatives cannot succeed without individual and collective commitment from business community to level the playing field and to build integrity in the business environment.

4. In view of the foregoing, we pledge the following:

- (a) not, through any of our employees, representatives or agents, to involve in any form of bribery, corruption whether direct or indirect or unethical behavior in whatever form;
- (b) to clearly communicate with all employees and business partners about stance on fighting all forms of bribe, corruption and other unethical behavior in whatever form;
- (c) to maintain and share with our employees the code of conduct which will be a guide in executing our daily business operations in order to comply with high ethical standards of conduct and anti-corruption laws;
- (d) to conduct regular training on anti-bribery and anti-corruption to our employees and business partners in order to ensure that they are updated and knowledgeable of the Company's policy in implementing this pledge;
- (e) to conduct integrity risk assessment that will help to identify corruption risks inherent in business operations and apply effective measures;
- (f) to maintain appropriate financial reporting mechanisms that are accurate and transparent;
- (g) to enter into integrity pacts with business partners and government agencies when dealing with procedures related to the bidding and procurement of supplies, materials, equipment, and construction;
- (h) to maintain channels by which employees and other stakeholders can raise ethical concerns and report suspicious circumstances in confidence without risk of reprisal, and a designated officer will be tasked with investigating all reports received and taking appropriate action;
- (i) to refrain from engaging in business with parties who have demonstrated unethical business practices;
- (j) not to engage in any arrangements that undermines or is prejudicial to the national security; and
- (k) to maintain a proper insurance cover against losses, injuries or damage to environmental, communities, individual and properties that may be occasioned in the course of carrying business.

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

5. To ensure collective action in preventing any unethical and corrupt behavior and the highest standards of ethics, integrity and transparent in business transactions in Tanzania, we commit to:

- (a) support a nationwide initiative intended to create fair market conditions, transparency in business transactions, and ensure good corporate governance;
- (b) participate in roundtable discussions, meetings, and forum to identify the key concerns and current problems affecting the private sectors related to integrity and transparency in business transactions;
- (c) share the international best practices, tools and concepts which are intended to be used by all participating entities to achieve the goals of the nationwide integrity behavior initiative;
- (d) participate in the creation of key measures and control activities intended to ensure transparency, integrity and ethical business practice;
- (e) support the development of an audit and certification program (including a training program for advisers and auditors) that will offer a toolbox for enterprises to introduce and implement ethical practices in their business processes; and institutionalize the whole process to promote sustainability of the integrity initiative.

6. To confirm our commitment to this pledge, we hereby commit ourselves as a company and individuals to be bound in all aspects by this integrity pledge and shall be responsible for all the consequences which may result to non-compliance to this pledge.

7. To fight any form of corruption practices whereby zero tolerance action will be taken against any employee, staff or other person involved in corruption in relation to the business, regardless of position and status;

8. To report any corrupt or unethical practices that occur in the business place to the appropriate Authority;

9. We shall also ensure that our employees and agents comply with this pledge and in any event of non-compliance we commit ourselves to be responsible for their action.

Signed by for and on behalf of
..... this day
of [2018]

Signature
Designation:.....

Witness
Name:.....
Signature:.....
Designation:.....

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

FOURTH SCHEDULE

(Made under rule 21(2))

APPLICATION TO TRANSFER A LICENCE

This section to be completed by the Current Licensee			
	Current Licensee to complete as appropriate		
Current Licensee's name			
Name and address of the Transferor			
Reason for Transfer (attach documentary proof)			
Address of the Licensed Facility			
	Postcode		Tel No.
	Email		
Licence Particulars	Type of Licence:		
	Licence No:		
	Licence Duration:		

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

	Expiry Date:		
I agree to the Licence being transferred to the applicant(s) below:			
Name and physical Address of the Transferee :		Date:	
Business Organisation (Sole proprietor, Company, Partnership)		Position:	
Principal Officer (only if the transferee is a company or partnership)		Date:	Company Seal
		Signature:	
Names of Partners or Shareholders		1.	
		2.	
		3.	
		4.	
		5.	
		6.	
		7.	

This section to be completed by the Applicant(s)

1. I the undersigned, being the new occupier of the premises detailed in the application,

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

hereby apply for the transfer of the current licence and I hereby declare that the information stated herein in regard to the transferee are true to the best of my knowledge.			
2. In the event of a licence being transferred:			
(a) I agree to abide by the conditions laid down by EWURA and applicable laws, and not to alter in any way the approved arrangements of the premises without the written approval of EWURA, nor use the said premises for any other purpose than those prevailing at the time the licence is transferred;			
(b) the licence shall have the like effect in all respects as if no transfer had been made; and			
(c) all duties and responsibilities that were to be fulfilled by the transferor are automatically shift to the transferee as if no transfer was made.			
Date			
Signed:		Position:	
Print Name			

Ownership of the site comprising the licensed facility. If the transfer or is not the owner of the site (i.e. a tenant), enter below the name and address of the owner or owners, as the case may be:			
Details	Transfer or to complete if applicable		
Name (of owner)			
Address:			
Post Code		Tel No.	
Email			

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

Fee TZS		Payable to EWURA Account through control No. to be provided by EWURA.
Notes 1. The applicant(s), (if an individual person or partnership) must be over 18 years of age. 2. By signing the form both the transferee and transferor declare that they are authorized to make this application and that the information supplied there herein is correct. 3. This application together with the appropriate fee, should be forwarded to the Director General, EWURA at 4TH Floor, PSSSF House, Makole Road, , P.O Box 2758, Dodoma.		

- The application should be attached with the following documents;-
1. The original copy of a valid EWURA licence in respect of the licensed facility;
 2. Certified copy of tax Clearance in respect of the licensed facility;
 3. Lease/ Sale agreement stamp duty paid;
 4. Company Registration documents;
 5. In case the type of transfer if by death or order of the Court the Applicant will be required to submit the supporting documents.
 6. Proof of payment of transfer application fee;and
 7. Any other document that will be required at the time of transfer

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

FIFTH SCHEDULE

(Made under rule 24 (2))

APPLICATION FOR RENEWAL OF A LICENCE

For EWURA Use Only	
Date Received:	File Number:

IMPORTANT NOTE: Complete this form and return it with all other relevant enclosures to the Director General at the above address.

In order to avoid unnecessary delays, answer fully all items and submit to EWURA all of the required information. You may submit your application electronically or by delivering the same to EWURA offices. EWURA will not process this application until it has been found to be complete.

Where options are given, tick the relevant box. Leave no item unanswered or un-ticked. If an item seems not applicable to the specific application, you should indicate with block capitals N/A meaning Not Applicable. You should ensure that all required documentation are enclosed and that each separate sheet of information attached to the application corresponds to a specific item in the application.

	PART I: DETAILS OF THE APPLICANT
1.	Name of Applicant (Insert trading name)

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

2.	Registration Status: <i>(Fill Where Appropriate)</i> (a) Certificate of Incorporation No..... (b) Certificate of Compliance No..... (c) Business license No..... (d) TIN No. (e) VAT No.....
3.	Address of retail outlet: (a) Physical address: Street.....Plot No..... Block No.....Building No..... (b) Postal Address: (c) Telephone No: (d) Facsimile:Cell Phone..... (e) E-Mail:

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

4.	Legal status of the Applicant: Sole Proprietorship Partnership Public Limited Liability Company Private Limited Liability Company Parastatal Organization Government Agency Cooperative Society Joint Venture Other (specify).....
5.	Contact Person: (a) Name: (b) Title: (c) Physical address: Street.....Plot No.....Block No..... Building No.....: (d) Postal Address: (e) Telephone Number: (f) Facsimile:Cell phone: (g) E-mail:

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

6.	Details of the Current Licence Type of a licence:..... Licence No. Date Issued..... Expiry Date.....
7.	Has the licensee undergone any material changes (structural, legal, managerial or related to the services supplied) since its previous application? Yes – If yes, provide details..... <i>(Use additional Sheet if Necessary)</i>
8.	Application Fee and method of payment: (a) Amount: TZS..... (b) Mode: Cash Cheque Other (specify)..... (c) Fees Payment Receipt No. <i>(Attach Copy)</i>.....
	PART II – DECLARATION BY THE APPLICANT

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

	I..... (insert name) being..... (insert title/position) hereby declare that I am authorized to make this application on behalf of the applicant and that to the best of my knowledge the information supplied herein is correct and that within a reasonable period of time after notice, I undertake to provide whatever additional information EWURA may require in order to evaluate this application. SWORN/AFFIRMED at.....) by the said.....who is identified to) me by...../known to me personally) the latter being known to me personally this) DECLARANTday of2018) BEFORE ME: _____ COMMISSIONER FOR OATHS NOTE: If this application form is completed electronically it must be printed out, signed before a Commissioner of Oaths and submitted with the necessary supporting documents and submitted to the EWURA Headquarter office or at Zonal Offices
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SIXTH SCHEDULE

(Made under rule 51 and 53)

SAMPLE COLLECTION FORM

DATE: TIME:

NAME OF THE SUPPLYING COMPANY/DEALER:

RESSELLER'S OUTLET/LUBRICANTS DEALER NAME:
--

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

PLOT NO.	BLOCK:	STREET/VILLAGE:.....		
DISTRICT.....		REGION:		
LUBRICANTS NAME (TYPE e.g. Engine oil):				
SAMPLE NO:BATCH NO:				

OPERATOR(S) (NAMES):

SIGNATURE:

- | | |
|---------|-------|
| 1. | |
| 2. | |

INSPECTOR(S) (NAMES):

SIGNATURE:

- | | |
|---------|-------|
| 1. | |
| 2. | |

REMARKS BY THE INSPECTOR (S)

.....

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

SEVETH SCHEDULE

(Made under rule 71)

NOTIFICATION OF OFFENCE

(LUBRICANTS WHOLESALE BUSINESS/LUBRICANTS DISTRIBUTION
BUSINESS/LUBRICANTS RETAIL BUSINESS)

To..... Address.....

1. You are charged with the following offence (s):

- (a)
- (b)
.
- (c)
.
- (d)
.
- (e)
.
- (f)
.

2. If you WISH to admit commission of the offence (s) you should complete "PART B" below and send this notification, together with the statutory penalty for each offence to which you admit, to the Authority within fourteen days from the date of service of this notification.

3. If you DO NOT WISH to admit to have committed the offence (s) you are required to complete "PART A" below and send this notification to the Director General of the Authority together with answers, in writing, to the charges mentioned above, within seven days from the date of service of this notification.

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

4. Penalty for each offence mentioned above shall be as provided for under the Petroleum Act, Cap. 392, the EWURA Act, Cap. 414 or any other laws relevant to the conduct of the Petroleum Wholesale Business.

PART "A"- NOTIFICATION OF INTENTION TO ANSWER CHARGES

I of residential or business address) being the (owner/director/manager/representative) of.....

..... intend to respond to the Authority/ Court of Law on the charge (s)

Nos.....set out in Paragraph 1 of this Notification.

Signature:Date:

PART "B"- ADMISSION OF OFFENCE

I of residential

or business address) being the (owner/director/manager/representative)

of..... plead guilty to the

charge (s) Nos.....set out in Paragraph 1 of this Notification and

I undertake to pay the requisite fine of TZS..... within a period of fourteen days from the date hereof.

Signature:

Date:

FACILITY/VEHICLE/VESSEL DETAILS

ISSUED BY

Motor Vehicle Reg. No.....

Name:

PLWL/PLRL/ No.

Designation:

Petroleum (Lubricants Operations)

GN NO.50 (contd.)

Vessel Registration No.

Date:

Signature of the person issued with the notification

Signature of the Inspector

.....

.....

Dodoma

13th January, 2019

NZINYANGWA E. MCHANY

Director General

Plant Breeders' Rights (Amendments)

GOVERNMENT NOTICE NO. 51 published on 31/1/2020

THE PLANT BREEDERS' RIGHTS ACT,
(CAP. 344)

REGULATIONS

(Made under section 58)

THE PLANT BREEDERS' RIGHTS (AMENDMENTS) REGULATIONS, 2020

Citation
GN. No.
288 of 2018

1. These Regulations may be cited as the Plant Breeders' Rights (Amendments) Regulations, 2020 and shall be read as one with the Plant Breeders' Rights Regulations, 2018, hereinafter referred to as the "principal Regulations".

Amendment of
Second Schedule

2. The principal Regulations are amended in the Second Schedule by inserting a cross reference to its enabling provisions as follows:

"(Made under regulation 6(2))"

Dodoma,
17th December, 2019

JAPHET N. HASUNGA
Minister for Agriculture

Water Supply And Sanitation (Amendment)

GOVERNMENT NOTICE NO.52 Published On 31/1/2020

THE WATER SUPPLY AND SANITATION ACT
(CAP.272)

REGULATIONS

(Made under sections 73)

THE WATER SUPPLY AND SANITATION (AMENDMENT) REGULATIONS, 2020

Citation
GN. No.
828 of 2019

1. These Regulations may be cited as the Water Supply and Sanitation (Amendment) Regulations, 2020 and shall be read as one with the Water Supply and Sanitation Regulations, hereinafter referred to as the “principal Regulations”.

Amendment of
regulation 18

2. The principal Regulations are amended in regulation 18 by adding immediately after subregulation (4) the following:
“(5) For purposes of improving services delivery, the Minister may, upon recommendation of the Permanent Secretary, transfer a Managing Director appointed pursuant to the Act and these Regulations, from one water authority to another.

(6) The terms and conditions of service of a Managing Director transferred pursuant to subregulation (5) shall be as specified in the instrument of transfer, employment contract and public service regulations.”

Dodoma,
22nd January, 2020

MAKAME M. MBARAWA
Minister for Water

Water Resources Management (Water Abstraction, Use and Discharge)
(Amendment)

GOVERNMENT NOTICE NO. 53 Published On 31/1/2020

THE WATER RESOURCES MANAGEMENT ACT
(CAP.331)

REGULATIONS

(Made under sections 11(3), 12(2), 72(3), 75(1) & (2) and 111(1))

THE WATER RESOURCES MANAGEMENT (WATER ABSTRACTION, USE AND
DISCHARGE) (AMENDMENT) REGULATIONS, 2020

Citation
GN. No.
190 of 2010

1. These Regulations may be cited as the Water Resources Management (Water Abstraction, Use and Discharge) (Amendment) Regulations, 2020 and shall be read as one with the Water Resources Management (Water Abstraction, Use and Discharge) Regulations, hereinafter referred to as the “principal Regulations”.

Amendment of
regulation 3

2. The principal Regulations are amended in regulation 3(1)(b), by-

(a) adding immediately after subparagraph (ii) the following:

“(iii) if the permit falls within the service area of a water authority, the water authority operating in such service area pursuant to the Water Supply and Sanitation Act;”
and

(b) renaming subparagraph (iii) as subparagraph (iv).

Amendment of
regulation 20

20- 3. The principal Regulations are amended in regulation

(a) by deleting subregulation (2);

Water Resources Management (Water Abstraction, Use and Discharge)
(Amendment)

GN NO. 53 (contd)

- (b) by renumbering subregulations (3) and (4) as subregulations (2) and (3);
- (c) in the renumbered subregulation (2), by deleting figure “20,000” and substituting for it figure “50,000”;
- (d) in the renumbered subregulation (3), by deleting the words “Where any person exceeds the limits” and substituting for them the words “Any person who exceeds the limit”.

Dodoma,
22nd January, 2020

MAKAME M. MBARAWA
Minister for Water

Water Resources Management (Exploration and Drilling Licensing) (Amendment)

GOVERNMENT NOTICE NO. 54 Published On 31/1/2020

THE WATER RESOURCES MANAGEMENT ACT,
(CAP.331)

REGULATIONS

(Made under section 62)

THE WATER RESOURCES MANAGEMENT (EXPLORATION AND DRILLING LICENSING)
(AMENDMENT) REGULATIONS, 2020

Citation
GN. No.
219 of 2013

1. These Regulations may be cited as the Water Resources Management (Exploration and Drilling Licensing) (Amendment) Regulations, 2020 and shall be read as one with the Water Resources Management (Exploration and Drilling Licensing) Regulations, hereinafter referred to as the “principal Regulations”.

Amendment of
Fifth Schedule

2. The principal Regulations are amended in the Fifth Schedule-

- (a) in item 4 relating to annual ground water drilling licensing Class One, by deleting figure “1,000,000.00” appearing in the third column and substituting for it figure “2,000,000.00”
- (b) in item 5 relating to annual ground water drilling licensing Class Two, by deleting figure “2,000,000.00” appearing in the third column and substituting for it figure “1,000,000.00”.

Dodoma,
22nd January, 2020

MAKAME M. MBARA
Minister for Water

GOVERNMENT NOTICE NO. 55 published on 31/1/2020

THE WATER RESOURCES MANAGEMENT ACT
(CAP.331)

REGULATIONS

(Made under sections 94(1) and 111(1))

THE WATER RESOURCES MANAGEMENT (DAM SAFETY) (AMENDMENT)
REGULATIONS, 2020

Citation
GN. No.
327 of 2013

1. These Regulations may be cited as the Water Resources Management (Dam Safety) (Amendment) Regulations, 2020 and shall be read as one with the Water Resources Management (Dam Safety) Regulations, hereinafter referred to as the “principal Regulations”.

Amendment of
regulation 21

2. The principal Regulations are amended by deleting regulation 21 and substituting for it the following:
“Fees

21. The fees prescribed in the Sixth Schedule to these Regulations shall be payable in respect of application and registration of approved professional persons and registration of dam with a safety risk.”

Addition of
regulations 25A
and 25B

3. The principal Regulations are amended by adding immediately after regulation 25 the following:

“Construction of
dam or tailings
without permit

25A. A person who constructs, rehabilitates, modifies or repairs a dam or tailings dam without a permit commits an offence and shall upon conviction, be liable to a fine of not less than two million shillings or imprisonment for a term of not less than three months or to both.

Offence relating
to activities of
approved
professional
person

25B. A person who undertakes activities of approved professional persons without registration commits an offence and shall, upon conviction, be liable to a fine of

Water Resources Management (Dam Safety) (Amendment)

GN No 55 (contd)

not less than one million shillings or
imprisonment for a term of not less than
three months or to both.”

Addition of
Sixth Schedule

4. The principal Act is amended by adding immediately
after the Fifth Schedule the following:

SIXTH SCHEDULE

(Made under regulation 21)

Item No.	TYPE OF FEE	AMOUNT	
		Local Applicant (TZS)	Foreign Applicant (USD)
1.	Application for registration of approved professional person	150,000.00	150.00
2.	Renewal of registration of approved professional person	150,000.00	150.00
3.	Application for registration of dam (normal water dams class A, B and C)	Class A 300,000.00	N/A
		Class B 200,000.00	N/A
		Class C 100,000.00	N/A
4.	Application for registration of tailings dam (class A and B)	Class A 400,000.00	N/A
		Class B 200,000.00	N/A
5.	Registration of dam (normal water dams class A, B and C)	Class A 4,000,000.00	N/A
		Class B 3,000,000.00	N/A
		Class C 2,000,000.00	N/A
6.	Registration of tailings dam (class A and B)	Class A 15,000,000.00	N/A
		Class B 5,000,000.00	N/A

Dodoma,
22nd January, 2020

MAKAME M. MBARAWA
Minister for Water

Water Resources Management (Procedure for Nomination of Board Members)
(Amendment)

GOVERNMENT NOTICE NO. 56 Published On 31/1/2020

THE WATER RESOURCES MANAGEMENT ACT
(CAP.331)

REGULATIONS

(Made under section 20(3), 22(4) and 29(3))

THE WATER RESOURCES MANAGEMENT (PROCEDURE FOR NOMINATION OF BOARD
MEMBERS) (AMENDMENT) REGULATIONS, 2020

Citation
GN. NO.
187 of 2010

1. These Regulations may be cited as the Water Resources Management (Procedure for Nomination of Board Members) (Amendment) Regulations, 2020 and shall be read as one with the Water Resources Management (Procedure for Nomination of Board Members) Regulations, hereinafter referred to as the “principal Regulations”.

Addition of
regulation 9A

2. The principal Regulations are amended by adding immediately after regulation 9 the following:

“Establishment
of national
multi-sectoral
forum

9A.-(1) There shall be a national multi-sectoral forum for purposes of advising the National Water Board on different matters relating to water resources management and promoting integrated water resources management and implementation at national level.

(2) The national multi-sectoral forum shall be comprised of the following members-

- (a) members of the forum established under regulation 4(1);
- (b) members of the forum established under regulation 6(1);
- (c) members of the forum established under section 7(1);
- (d) representatives from local government;
- (e) representatives from civil society

Water Resources Management (Procedure for Nomination of Board Members)
(Amendment)

GN NO. 56 (contd)

organisations; and

(f) any other member as may be identified by the Director.

(3) The national multi-sectoral forum shall meet at least twice a year.

Addition of
regulation 17A

3. The principal Regulations are amended by adding immediately after regulation 17 the following:

“Establishment
of basin multi-
sectoral forum

17A. -(1) There shall be a basin multi-sectoral forum for purposes of advising the Basin Water Board on different matters relating to water resources management and promoting integrated water resources management and implementation at basin level.

(2) The national multi-sectoral forum shall be comprised of the following members-

(a) members of the forum established under regulation 10(1);

(b) any other member as may be identified by the Basin Water Officer.

(3) The basin multi-sectoral forum shall meet at least twice a year.

Dodoma,
22nd January, 2020

MAKAME M. MBARAWA
Minister for Water

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GOVERNMENT NOTICE NO. 57 Published On 31/1/2020

THE NATURAL WEALTH AND RESOURCES CONTRACTS (REVIEW AND
RE-NEGOTIATION OF UNCONSCIONABLE TERMS) ACT,
(CAP. 450)

REGULATIONS

(Made under section 8)

THE NATURAL WEALTH AND RESOURCES CONTRACTS (REVIEW AND
RE-NEGOTIATION OF UNCONSCIONABLE TERMS) REGULATIONS, 2020

PART I

PRELIMINARY PROVISIONS

- | | |
|----------------|--|
| Citation | 1. These Regulations may be cited as the Natural Wealth and Resources Contracts (Review and Re-negotiation of Unconscionable Terms) Regulations, 2020. |
| Interpretation | 2. In these Regulations, unless the context otherwise requires- |
| Cap. 450 | “Act” means the Natural Wealth and Resources Contracts (Review and Re-Negotiation of Unconscionable Terms) Act; |
| Cap. 2 | “Constitution” means the Constitution of the United Republic 1977; |
| | “Government” means the Government of the United Republic or the Revolutionary Government of Zanzibar as the case may be, and the corresponding Constitutions and institutions of the United Republic and Tanzania Zanzibar exercising powers or performing functions in relation to review and re-negotiation of unconscionable terms; |
| | “Minister” means the Minister responsible for constitutional affairs; |
| | “Ministry” means the Ministry responsible for constitutional affairs; |
| | “Minister responsible for arrangement or agreement” means the |

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN NO 57 (contd.)

Minister responsible for the arrangement or agreement of which the National Assembly has issued a resolution to renegotiate;

“natural wealth and resources” has the meaning ascribed to it under the Act; and

“Permanent Secretary” means the permanent secretary of the Ministry;

“Register” means the Register of arrangement or agreement of Natural Wealth and Resources established pursuant to regulation 5;

“Registrar” means the Registrar designated as such in terms of regulation 6; and

“unconscionable term” means any term in the arrangement or agreement on natural wealth and resources which is contrary to good conscience and the enforceability of which jeopardises or is like to jeopardise the interests of the People of the United Republic.

PART II

REVIEW OF ARRANGEMENTS OR AGREEMENTS

General
principles in
arrangements or
agreements

3.-(1) All arrangements or agreements to which the Act relates shall be made by both parties on the basis of fair dealing, honesty and utmost good faith.

(2) Any arrangement or agreement which the National Assembly determines to contain an unconscionable term shall be subject of re-negotiation.

Coordination,
monitoring and
management of
arrangements or
agreements
Cap. 449

4.-(1) The President shall continue to be the trustee of the natural wealth and resources on behalf of the people of the United Republic of Tanzania in accordance with section 5 of the Natural Wealth and Resources (Permanent Sovereignty) Act.

(2) The Minister shall, on behalf of the President, have the power to coordinate, monitor and manage all contracts and report to the President in accordance with the applicable laws and procedures.

(3) Without prejudice to the generality of subregulation (2), the Minister may in the performance of his functions, establish and maintain, as far as practicable, an observatory system to enable effective consultation, coordination and cooperation with other Ministries, Government departments,

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN No 57 (contd.)

and agencies or any other public or private institution or body established pursuant to any written law dealing with natural wealth and resources.

Register of
arrangements or
agreements on
natural wealth
and resources

5.-(1) There shall be established, within the Ministry, a Register to which information relating to natural wealth and resources arrangements or agreements shall be entered.

(2) Entries to the Register established under subregulation (1) shall be in NWR Form - N. 2 as prescribed in the Second Schedule.

Designation of
Registrar

6.-(1) The Director responsible for natural wealth observatory activities in the Ministry shall be designated as the Registrar of Natural Wealth and Resources Arrangements or Agreements.

(2) The functions of the Registrar shall be to:

- (a) keep and maintain the Register;
- (b) register all natural wealth and resources arrangements or agreements;
- (c) carry out regular assessment of the natural wealth and resources regime in relation to the constitutional requirements stated under Articles 8(1), 9(i) and 27 of the Constitution of the United Republic of Tanzania;
- (d) assess the level of contribution of natural wealth and resources of the country in the alleviation of poverty, reduction of diseases, and improvement in the level of literacy, using the Household Budget Survey and such other applicable instruments;
- (e) review and make recommendations to the Permanent Secretary, on the need to update, harmonise and consolidate existing policies and legislation affecting development of natural wealth and resources in the country;
- (f) make follow up on the process of arrangements or agreements renegotiation and prepare a report to be submitted to the Permanent Secretary and other relevant authorities as required by law;
- (g) develop tools for monitoring and evaluation on natural wealth and resources;
- (h) carry out monitoring and evaluation exercise on the utilisation of natural wealth and resources, in

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN No 57 (contd.)

collaboration with relevant entities and report on the outcome of the exercise to the Permanent Secretary; and

- (i) do any other activities as may be directed by the Permanent Secretary.

(3) In the performance and discharge of his functions and duties, the Registrar may be assisted by such number of officers of the Ministry as may be determined.

Registration of
arrangements or
agreements

7.-(1) Subject to subregulation (2), the responsible person on behalf of Ministries, Government departments, and agencies or any other public or private institution dealing with natural wealth and resources that enters into a natural wealth and resource arrangement or agreement shall submit an application for registration of the arrangement or agreement with the Registrar using NWR Form - N. 1 as prescribed in the First Schedule.

(2) Submission for entry of arrangement or agreement shall-

- (a) in the case of arrangements or agreements made before the coming into operation of these Regulations, be made within sixty days from the date of coming into operation of these Regulations; and
- (b) in the case of arrangements or agreements made subsequent to the coming into operation of these Regulations, be made not later than thirty days from the date of execution of the arrangement or agreement.

(3) The Registrar shall register an arrangement or agreement submitted to him and assign a registration number which shall signify the identity of the arrangement or agreement so registered, to be used in all transactions and correspondence related to such arrangement or agreement.

Review by
National
Assembly

8.-(1) A ministry responsible for entry into any natural wealth and resource arrangement or agreement, whether by itself or through an institution under it, shall upon the directives of the Ministry, prepare report and submit to the Minister.

(2) The Minister shall review and assess the report submitted pursuant to subregulation (1) as well as the arrangement or agreement in question to check compliance

Cap. 2

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN No 57 (contd.)

Cap.449

with the provisions of Article 8(1), 9(i) and 27 of the Constitution and the Natural Wealth and Resources (Permanent Sovereignty) Act.

(3) The report of the Minister and any other information related to the agreement or arrangement shall be submitted to the Cabinet for consideration and deliberation and the preparation of a Cabinet resolution on the report.

(4) The Minister shall, upon the directives of the Cabinet and within the period prescribed in section 5(1) of the Act, lay the Cabinet resolution before the National Assembly for determination in the manner provided in the Act.

PART III
PROCEDURES FOR RE-NEGOTIATION

Notice for re-
negotiation

9.-(1) The Minister shall within seven days from the day of the resolution by the National Assembly and upon receipt of the extract of the resolution, notify the Minister responsible for entry into any natural wealth and resource arrangement or agreement that he is required to renegotiate the arrangement or agreement as stated in the Notice.

(2) The Notice of the Minister under subregulation (1) shall be in NWR Form - N.3 as prescribed in the Third Schedule to these Regulations.

(3) The Minister responsible for entry into any natural wealth and resource arrangement or agreement shall issue a notice of renegotiation of arrangement or agreement to the other party through NWR Form - N.4 as prescribed in the Third Schedule to these Regulations.

Re-negotiation
team

10.-(1) The Minister responsible for entry into any natural wealth and resource arrangement or agreement shall immediately after receiving the notice under regulation 9 and after consultation with the Attorney General, appoint a renegotiation team on such terms and conditions as may be deemed fit.

(2) In appointing the members of the renegotiation team, the Minister shall have regard to skills, experience, ethics, and knowledge relevant to the subject matter of renegotiation.

(3) The renegotiation team shall, in performing its functions, abide to the renegotiation guidelines developed by

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN No 57 (contd.)

the Ministry responsible for the arrangement or agreement to be renegotiated using, as far as practicable, the template shown in NWR Form - N7 as prescribed in the Fourth Schedule.

(4) Members of the renegotiation team shall be paid such allowances as shall be approved by the Minister responsible for finance.

Renegotiation
process

11.-(1) Upon receiving a notice under regulation 10 requiring the parties to re-negotiate, the renegotiation team shall develop a schedule of renegotiation and share it with the other party provided the schedule does not exceed the ninety days period stated in the Act.

Provided that, the parties may, by mutual agreement and subject to the approval of the Minister, extend the period for renegotiation to a period of not more than thirty days.

(2) An application for approval of extension of time stated in the subregulation (1) shall be through NWR Form - N.5 as prescribed under Third Schedule to these Regulations.

(3) The renegotiation shall be guided by the nature of the agreement or arrangement and in all aspects be made subject to the terms contained in the renegotiation guidelines.

(4) After completion of renegotiation process the parties shall sign a renegotiation Summary through NWR Form - N.6 as prescribed in the Third Schedule.

(5) The costs for re-negotiation shall be borne by the Ministry responsible for the agreement which was the subject matter of the renegotiation.

PART IV
SUBMISSION OF RENEGOTIATION REPORT

Reporting
procedure

12.-(1) Once the renegotiation has been completed and the draft report prepared by the renegotiation team, the lead member of the renegotiation team shall submit the draft report to the Permanent Secretary responsible for arrangement or agreement being renegotiated for purposes of organising the stakeholders meeting to discuss the draft report.

(2) Upon conclusion of a stakeholder meeting under subregulation (1) and where the draft report is adopted, the Permanent Secretary responsible for such arrangement or agreement shall submit the draft report to the Minister responsible for the arrangement or agreement for concurrence.

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN NO 57 (contd.)

(3) The Ministry responsible for arrangement or agreement, shall upon the concurrence of the responsible Minister, cause a final report be prepared and submitted to the Minister who on concurrence with the report shall submit it to the Cabinet in accordance with applicable procedures.

(4) After the Cabinet procedures have been exhausted and the President's Certificate issued, the Minister shall submit the report on the outcome of renegotiation to the National Assembly.

Provided that, submission of the report to the National Assembly shall not be later than thirty days from the date of signing of the renegotiation report.

Savings

13. Notwithstanding the provisions of these Regulations, all contract re-negotiation arrangements which are in existence on the date of coming into operation of these Regulations shall continue and be concluded as if these Regulations had not been made.

FIRST SCHEDULE

NWR Form - N.1

APPLICATION FOR REGISTERING OF ARRANGEMENTS OR AGREEMENTS

[Made under regulation 7(1)]

To,
The Minister,
Ministry of Constitutional and Legal Affairs,
P.O BOX 315,
Government City, Mtumba,
40484 DODOMA

Subject to Regulation 5 of Natural Wealth and Resources Contracts (Review and Re-Negotiation of Unconscionable Terms) Regulations, 2020, I hereby apply to register an arrangements or agreements entered between [insert the name of Ministry/Departments/Agency/other Authority and [insert the name of the other Party to arrangement or agreement] on [insert date] day of [insert month], [insert year] on the subject matter [insert the nature of the subject matter] valued at Tshs [insert amount] or consideration [insert nature of consideration] valued at Tshs [insert amount], to be valid

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN No 57 (contd.)

for a period of [insert number of years] commencing from [insert date] day of [insert month], [insert year].

Submitted this [insert date] day of [insert month], [insert year]

Name of the Person Submitting Application

Signature/Thumb of the Applicant.....

Seal of the Ministry/Departments/Agency/Authority

For Official use only

Name of the recipient

Date of receipt: -.....

Signature/Thumb of the recipient.....

Seal of the Organization.....

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN No 57 (contd.)

SECOND SCHEDULE

NWR Form - N.2

REGISTER OF ARRANGEMENT OR AGREEMENT
[Made under regulation 5(2)]

S / N	Name & Ad dres s Of Arr ang em ent Or Agr ee me nt	Type /Cat egor y	Refer ence No. Of The Arran geme nt Or Agree men t Entit y	Parties	Subjec t Matter Of The Arrang ement Or Agree ment	Titl e	Dur atio n	Co nsi der atio n/V alu e	Adher ance To Corpo rate Social Respo nsibili ty	Ad her anc e To Loc al Co nte nt	Ro yal ity In Pe rce nta ge	Cate gory Of Lice nce	Submi ssion Date	Government Identity Number

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN No 57 (contd.)

THIRD SCHEDULE

NWR Form - N.3

NOTICE FOR RE-NEGOTIATION

[Made under regulation 9(2)]

To,
The Minister,

.....

P.O Box

.....

Be informed that the General Assembly onday of.....
passed a resolution and directs your Ministry or Departments or Agency and Authority
to review Arrangement Or Agreement entered on between and.....
on..day of,20..... for the purpose of

As the said agreements or contracts contains the hereunder unconscionable terms

.....

Be directed that government wish to negotiate the said agreements or arrangement.

.....

The Minister

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN NO 57 (contd.)

NWR Form - N.4

NOTICE FOR RE-NEGOTIATION
[Made under regulation 9(3)]

To,

.....

.....

P.O Box

.....

Be informed that the Government of The United Republic of Tanzania has directed
..... an Arrangement Or Agreement No.dated on.....day.....,20..... entered
betweenandbe reviewed for the purpose
of

As the said arrangement or agreement contains the hereunder unconscionable terms

.....

.....

Be directed that government wish to negotiate the said agreements or arrangement.

NB: The Schedule of the arrangement is hereby attached for necessary actions.

.....
The Minister

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN No 57 (contd.)

NWR FORM -N.5

APPLICATION FOR OF EXTENSION OF TIME FOR
RENEGOTIATION

[Made under regulation 11(2)]

To,
The Minister,

.....
P.O Box

Subject to Regulation 11(2) of Natural Wealth and Resources Contracts (Review and
Re- Negotiation of Unconscionable Terms) Regulations, 2019. I hereby apply for
extension of time of.....for renegotiation of an arrangement or agreement between
.....andwhich was scheduled to be conducted fromday
....., yearup today year.....on the
subject matter /purpose.....

I hereby apply to the Minister for extension of time on the following
ground(s)

DECLARATION:

I,..... of
..... (name and position) do DECLARE that the information so stated are true to
the best of my knowledge.

Signature..... (The Applicant)

Dated.....month of20.....

FOR OFFICIAL USE ONLY (Ministry):

I.....(Minister for Constitutional and Legal Affairs) hereby
Approve/disapprove the application for extension of time for renegotiation of
arrangement or agreement for period ofdays from the date of this approval.

.....
The Minister

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN No 57 (contd.)

NWR Form - N. 6

NEGOTIATION SUMMARY

[Made under regulation 11(4)]

Subject to negotiation conducted onday of20.....the parties
agreed that

- 1 The Arrangements Or Agreements entered between ... and on day of
.....,20..... for the purpose ofcontains unconscionable terms
- 2 That the parties agreed have agreed to renegotiate the terms and
remove all unconscionable terms
- 3 Any other

IN ALTERNATIVE The Parties failed to negotiate on rectifying the
unconscionable terms on the following grounds;

- 1.....
- 2.....
- 3

Date: -.....

Signature/Thumb of the Applicant.....

Seal of the Ministry/Departments/Agency/Authority

Date:

Signature/Thumb of the Applicant.....

Seal of the other party

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN No 57 (contd.)

FOURTH SCHEDULE

(Made under regulation 10(3))

NWR Form N. 7

GUIDELINES FOR RENEGOTIATION OF UNCONSCIONABLE TERMS
TEMPLATE FOR USE IN RENEGOTIATION PROCESS

Name/Description of
Agreement or Arrangement for
Renegotiation

Reference Number

Public Authority/Agency

Work Unit

Prepared by

Date

Table of Contents

1.	RENEGOTIATION TEAM APPROVAL AND ENDORSEMENT	15
2.	PURPOSE	16

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN No 57 (contd.)

3.	BACKGROUND AND CONTEXT	17
4.	OBJECTIVES OF RENEGOTIATION	17
5.	RENEGOTIATION TEAM RESPONSIBILITIES	18
6.	RULES OF PARTICIPATION AND CONDUCT	19
7.	LOCATION AND TIMINGS	21
8.	INVESTOR(S) BACKGROUND	21
9.	RENEGOTIATION ISSUES AND PRIORITIES	21
10.	RECOMMENDATION(S)	22
	ATTACHMENT: CODE OF CONDUCT AND CONFIDENTIALITY FORM	23

**1. GOVERNMENT RENEGOTIATING TEAM APPROVAL
AND ENDORSEMENT**

1.1. APPROVED BY:

I approve this Renegotiation Guideline.

Name of Authorized Officer:

Position:

Signature:

Date:/20.....

**1.2. GOVERNMENT RENEGOTIATING TEAM SIGN-OFF
RENEGOTIATING TEAM**

a) I acknowledge that I will be given access to information pertaining to or in respect of renegotiation for this contract and that all information that is acquired by me (whether by verbal or written means) in the course of my duties, is strictly confidential.

b) I undertake that I shall not at any given time, disclose or reveal to any other party or person, or use or copy for any purpose other than in the discharge of my duties as a member of the Government Renegotiating Team, such information without first obtaining the written consent of the Team Leader.

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN NO 57 (contd.)

- c) All documents, reports and information discussed within the renegotiation process shall be treated as commercial-in-confidence.
- d) Information and documentation shall be kept secure at all times and shall not be divulged or given to any persons not directly involved in the renegotiation process.
- e) I declare that to the best of my knowledge I do not have:
 - i. any financial interest in the agreement or arrangement;
 - ii. any relatives or friends with a financial interest in the agreement or arrangement;
 - iii. any personal bias or inclination which would in any way affect my decisions in relation to the agreement or arrangement; and
 - iv. any personal obligation, allegiance or loyalty which would in any way affect my decisions in relation to the agreement or arrangement.
- f) I acknowledge that if I become aware of a conflict of interest I will inform the Team Leader.
- g) I have read this Renegotiation Guideline and agree to abide by it.
 - Name:Signature..... Date/...../20..
 - Name:Signature..... Date/...../20..
 - Name:Signature..... Date/...../20..
 - Name:Signature..... Date/...../20..
 - Name:Signature..... Date/...../20..
 - Name:Signature..... Date/...../20..

2. PURPOSE

2.1. Following the selection of the investor (s), renegotiation will be entered into to:

- a) resolve any unconscionable term from the agreement or arrangement
- b) achieve improved terms and conditions that complies with the laws of Tanzania
- c) maximise the potential value available in the utilization or dealings in natural wealth and resources.

2.2. It shall be acknowledged that renegotiation is a process by which parties starting from different positions arrive at a position acceptable to both in line with the laws of Tanzania. It is also a process of communication and may include emails, letters, facsimiles, telephone calls as well as formal and informal meetings.

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN NO 57 (contd.)

- 2.3. Renegotiation may take place on any aspect of the concluded agreement or arrangement to bring it in line with the laws of Tanzania. Thus, this renegotiation guideline sets out the guiding principles and procedures by which the Government Renegotiating Team will undertake the renegotiation.
- 2.4. This guideline is to be read in conjunction with the following documents:
- a) The Natural Wealth and Resources (Permanent Sovereignty) Act, No 5 of 2017;
 - b) The Natural Wealth and Resources Contracts (Review and Re-negotiation of Unconscionable Terms) Act, No 6 of 2017;
 - c) [insert any other additional documents to be used]

3. BACKGROUND AND CONTEXT

- 3.1. Summarize the agreement or arrangement background in the context of the renegotiation, considering issues such as:
- a) nature of the procurement in terms of risk, value, and complexity
 - b) the nature of the market and any market issues
 - c) one-off negotiation versus the need to maintain long-term relationships
 - d) the existing relationship with the investors
 - e) political or community sensitivities
 - f) skill and experience of the Government Renegotiating Team
 - g) the balance of power in the renegotiation, and
 - h) any other matter considered useful in the renegotiation process.
- 3.2. Each member of the Government Renegotiating Team shall ensure that he adequately understands the background to assist him during renegotiation.

4. OBJECTIVES OF RENEGOTIATION

- 4.1. Broadly detail the primary objectives for the proposed renegotiation that-
- (a) prompt the parties to work for solutions that benefit all or most of them;
 - (b) view the other party as a potential partner rather than an adversary;
 - (c) stimulate both parties to realize their objectives; and
 - (d) facilitate the process of securing mutual advantages

However, do not list every item at this stage, but detail the major areas of focus.

- 4.2. In developing the objective regard shall be had on the following list of unconscionable terms, namely. Terms that:

- (a) aim at restricting the right of the State to exercise full permanent sovereignty over its wealth, natural resources and economic activity;
- (b) are restricting the right of the State to exercise authority over foreign investment within the country and in accordance with the laws of Tanzania;
- (c) are inequitable and onerous to the state;

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN No 57 (contd.)

- (d) restricts periodic review of arrangement or agreement which purports to last for life time;
- (e) secures preferential treatment designed to create a separate legal regime to be applied discriminatorily for the benefit of a particular investor;
- (f) are restricting the right of the State to regulate activities of transnational corporations within the country and to take measures to ensure that such activities comply with the laws of the land;
- (g) are depriving the people of Tanzania of the economic benefits derived from subjecting natural wealth and resources to beneficiation in the country;
- (h) are by nature empowering transnational corporations to intervene in the internal affairs of Tanzania;
- (i) are subjecting the State to the jurisdiction of foreign laws and fora;
- (j) expressly or implicitly are undermining the effectiveness of State measures to protect the environment or the use of environment friendly technology; or
- (k) aim at doing any other act the effect of which undermines or is injurious to welfare of the People or economic prosperity of the Nation.

5. GOVERNMENT RENEGOTIATING TEAM RESPONSIBILITIES

5.1. In the Table No. 1 below, broadly detail the roles to be undertaken by each Negotiation Team member. Example roles may include Team Leader, minute taker, principal re-negotiator, support re-negotiator, technical re-negotiator etc.

5.2. The members of the Government Renegotiating Team are:

TABLE No. 1

Team Member	Role/Responsibility
	Team Leader
	Minutes Taker
	Principal Re-negotiator
	Support Re-negotiator

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN No 57 (contd.)

Team Member	Role/Responsibility
	Technical Re-negotiator
	Quality Assurance Observer

6. RULES OF PARTICIPATION AND CONDUCT

6.1. General Issues

- a) The fundamental goal of the negotiation is to achieve improved outcomes while ensuring acceptable results for both parties in accordance with the laws of Tanzania. The Government Renegotiating Team shall not make unnecessary concessions simply to reach agreement.
- b) Renegotiation can be costly to both parties – time and effort is required in planning and conducting them, and taking into account the costs that may be incurred too. Accordingly, formal meetings should only be called where the likely result outweighs the costs involved.

6.2. Roles and Responsibilities

- a) The Team Leader is responsible for ensuring the objectives of the renegotiation are met and the rules for renegotiation, as detailed in the guideline, are followed.
- b) One Government Renegotiating Team member shall minute all negotiated outcomes and provide minutes to all members of both parties for agreement. The minutes shall be initialed by the Team Leaders from both sides.
- c) All Government Renegotiating Team members are to be present at all renegotiation, unless they have been given permission to be absent.
- d) The Team Leader may approve the attendance of additional advisors or subject matter experts if required.
- e) Where external assistance is required (i.e. from personnel not employed in the public service), then a Code of Conduct and Confidentiality Form attached hereto shall be signed.
- f) The Team Leader shall obtain appropriate authority prior to renegotiation to allow commitment to appropriate negotiated outcomes as they occur.

6.3. Probity

- a) The renegotiation process shall be transparent, documented and undertaken in a fair and equitable manner.

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN NO 57 (contd.)

- b) Government Renegotiating Team members shall notify the Team Leader of any possible conflicts of interest. Where a conflict of interest exists, the team member should be excluded from the decision-making processes which concern the relevant matter and from any aspect of the agreement or arrangement where the team member has the ability to influence the result.
- c) All renegotiation matters are confidential and shall be treated as commercial-in-confidence and shall not be divulged to any other person who has not been authorised by the Team Leader to receive that information.
- d) The Government Renegotiating Team will not, for themselves or others, seek or accept gifts or benefits. The Government Renegotiating Team will comply with the Code of Ethics for Public Servants and any policies of their public service in relation to accepting, declaring and/or recording the receipt of gifts or benefits.
- e) Renegotiation proceedings shall be documented to provide a clear audit trail.

6.4. Process

- a) The Negotiation Team will meet prior to each negotiation to:
 - i. reaffirm the renegotiation objectives;
 - ii. understand the renegotiation approach, in accordance with the guideline ; and
 - iii. understand the roles and responsibilities of each Government Renegotiating Team member including confidentiality and probity principles.
- b) Prior to the renegotiation, the Team Leader shall notify the investor(s) of the agenda of items to be discussed in the renegotiation.

6.5. Conduct During Renegotiation

- a) It is important when conducting renegotiation that the following conduct is maintained:
 - i. Maintain confidentiality;
 - ii. Do not give the investor(s) the impression that the agreement or arrangement is going to be abandoned;
 - iii. Maintain an ethical approach at all times;
 - iv. Resolve internal differences away from the renegotiation room;
 - v. Retain an open mind at all times;
- b) Look for long term results;
- c) Government Renegotiating Team members shall conduct themselves ethically at all times;
- d) Ensure that renegotiation being undertaken are renegotiated agreement or arrangement to be signed once approved; and
- e) Ensure that essential terms have been actually agreed to when proposing to enter into a renegotiated agreement or arrangement.
- f) The list is not exhaustive; each agreement or arrangement shall be treated on its own merits

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN No 57 (contd.)

g)

7. LOCATION AND TIMINGS

7.1. The renegotiation will take place at [insert location]. Renegotiation is expected to take [insert expected duration].

7.2. The following schedule of renegotiation is proposed:

(a) [Specify date(s) and time(s) of renegotiation]

(a) INVESTOR(S) BACKGROUND

1.1. For the investor(s), broadly detail:

(a) market position;

(b) attractiveness and relative value of the agreement or arrangement to the investor(s);

(c) investor's strengths and weaknesses;

(d) investor's likely approach and strategies;

(e) likely team members and roles; and

(f) their likely position on key issues.

8.2. A thorough due diligence should be conducted in order to obtain a clear background of the investor(s).

(b) RENEGOTIATION ISSUES AND PRIORITIES

9.1. In Table 2 below, detail the issues to be renegotiated and prioritise them (low, medium or high).

Table No. 2: Renegotiation Issues and Priorities - Summary

No.	Issue	Priority

9.2. Each of the issues to be renegotiated should be detailed in Table 3 below [duplicate this Table for each renegotiation issue].

Table No. 3: Issue Details

(a) Issue: [Enter description]

(b) Priority of this issue

(c) Our minimum outcome

(d) Our target outcome

(e) Our strengths and weaknesses in negotiating this issue

(f) Our points of leverage and possible concession points

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN No 57 (contd.)

- (g) Our best alternative to a negotiated agreement (BATNA)

9.3. As the issues are being detailed, the entity and the Government Renegotiating Team should always make sure it crystallizes of the outcome. The investor(s) who can visualize the end result will most likely be the one who guides the renegotiation process.

9.4. Once the issues become clearer, prepare in advance. Information is power. Obtain as much information as possible beforehand to make sure you understand the value of what you are renegotiating. It should be borne in mind that very few negotiations begin when the counterparts arrive at the table

10. RENEGOTIATED TERM(S) RECOMMENDATION

10.1. At the conclusion of renegotiation, the Team Leader will prepare a Renegotiated Term(s) which should include the following information relating to the renegotiation:

- (a) all renegotiation undertaken, and the outcomes of these;
- (b) any variations of term(s) resulting from renegotiation, and any required management strategies for these variations;
- (c) post renegotiation risks identified and any management strategies developed;
- (d) concessions agreed to or renegotiated which vary the prior concluded agreement or arrangement;
- (e) a summary of final offer and benefits (look at the bigger picture or Tanzania) achieved by renegotiation; and
- (f) any other matter the Government Renegotiating Team thinks relevant for inclusion so that the Government take an informed decision on the matter.

10.2. At the conclusion of the process a thorough report shall be prepared and submitted to the following:

- (a) Chief Secretary,
- (b) Permanent Secretary responsible for the agreement or arrangement that is being renegotiated;
- (c) Permanent Secretary responsible for legal affairs;
- (d) Permanent Secretary responsible for investments;
- (e) Permanent Secretary responsible for local government;
- (f) Permanent Secretary responsible for labour;
- (g) Permanent Secretary responsible for Home Affairs, and
- (h) Deputy Attorney General.

10.3. The Permanent Secretary responsible for legal affairs shall convene a meeting of government stakeholders to discuss the report and thereafter advise the Minister responsible for constitutional affairs on the outcome of the renegotiation process for onward transmission to the relevant authority to be dealt with in accordance to law and administrative guidelines in place.

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN No 57 (contd.)

ATTACHMENT: CODE OF CONDUCT AND CONFIDENTIALITY FORM

- (a) Code of Conduct and Confidentiality Form
- (b) Subject: Renegotiation of [insert name of the arrangement or agreement]
- (c) Name:
- (d) Organisation:
- (e) Position:
- (f) Telephone:
- (g) Address:

- (h) I acknowledge that I will be given access to information pertaining to or in respect of renegotiation for the contract named above and that all information (whether acquired by verbal or written means) that is provided to me or acquired by me in the course of my duties is strictly confidential.
 - (i) I undertake that I shall not at any time give, disclose or reveal to any other party or person, or use or copy for any purposes other than in the discharge of my duties as a member of the Government Renegotiating Team, such information without first obtaining the written consent of the Team Leader.
 - (j) All documents, reports and information discussed within the renegotiation shall be treated as commercial-in-confidence and thus I undertake to keep all information and documentation in my custody secure at all times and I shall not divulge or give to any persons not directly involved in the renegotiation process.
 - (k) I declare that to the best of my knowledge, I do not have:
 - (a) any financial interest in the agreement or arrangement being renegotiated;
 - (b) any relatives or friends with a financial interest in the agreement or arrangement being renegotiated;
 - (c) any personal bias or inclination which would in any way affect my decisions in relation to the agreement or arrangement being renegotiated; and
 - (d) any personal obligation, allegiance or loyalty which would in any way affect my decisions in relation to the agreement or arrangement being renegotiated.
 - (l) I acknowledge that if I become aware of a conflict of interest I will inform the Team Leader.

Dated at [insert location] this [insert date] day of [insert month], [insert year]

Signature:
Name:
Witness Signature:
Witness Name:
Witness' Qualifications:

Dodoma,

AUGUSTINE P. MAHIGA

*Natural Wealth and Resources Contracts (Review and
Re-Negotiation of Unconscionable Terms)*

GN No 57 (contd.)

23rd December, 2019

*Minister for Constitutional and
Legal Affairs*

*Natural Wealth and Resources (Permanent Sovereignty) (Code of Conduct for
Investors in Natural Wealth and
Resources)*

GOVERNMENT NOTICE NO.58 published on 31/1/2020

THE NATURAL WEALTH AND RESOURCES (PERMANENT
SOVEREIGNTY) ACT,
(CAP. 449)

REGULATIONS

(Made under section 13(2)(a))

THE NATURAL WEALTH AND RESOURCES (PERMANENT SOVEREIGNTY) (CODE OF
CONDUCT FOR INVESTORS IN NATURAL WEALTH AND
RESOURCES) REGULATIONS, 2020

ARRANGEMENT OF REGULATIONS

PART I
PRELIMINARY PROVISIONS

1. Citation.
2. Application.
3. Interpretation.
4. Objective.

PART II
CODE OF CONDUCT

5. Compliance with policies and laws.
6. General covenant.
7. Corruption or economic and organised crimes.
8. Conflict of interest.
9. Respect for basic rights.
10. Non-discrimination.
11. Workers' rights.
12. Child rights protection.
13. Impact on environment.
14. Competition.
15. Avoiding breach of code.
16. Periodic reviews.
17. Audit and monitoring compliance.

*Natural Wealth and Resources (Permanent Sovereignty) (Code of Conduct for
Investors in Natural Wealth and
Resources)*

GN No. 58 (contd.)

18. Implementation of code.
19. Corrective action and non-compliance.
20. Honesty and integrity self-test.
21. Integrity pledge.

*Natural Wealth and Resources (Permanent Sovereignty) (Code of Conduct for
Investors in Natural Wealth and
Resources)*

GN No. 58 (contd.)

GOVERNMENT NOTICE NO. 58 published on. 31/1/2020

THE NATURAL WEALTH AND RESOURCES (PERMANENT
SOVEREIGNTY) ACT,
(CAP. 449)

REGULATIONS

(Made under section 13(2)(a))

THE NATURAL WEALTH AND RESOURCES (PERMANENT SOVEREIGNTY) (CODE OF
CONDUCT FOR INVESTORS IN NATURAL WEALTH AND
RESOURCES) REGULATIONS, 2020

PART I
PRELIMINARY PROVISIONS

- | | |
|----------------|---|
| Citation | 1. These Regulations may be cited as the Natural Wealth and Resources (Permanent Sovereignty) (Code of Conduct for Investors in Natural Wealth and Resources) Regulations, 2020. |
| Application | 2. These Regulations shall apply to an entity, consultant, supplier, contractor, investor, partner and agent, including their employees thereof, involved in any arrangement or agreement on natural wealth and resources. |
| Interpretation | 3. In these Regulations, unless the context otherwise requires-
“investor” includes an entity, consultant, supplier, contractor, investor, partner and agent, including any of their employees thereto;
“Minister” means the Minister responsible for constitutional affairs. |
| Objective | 4.-(1) The Objective of this Code of Conduct is to ensure that arrangements or agreements on natural wealth and resources and related or connected business or activities |

*Natural Wealth and Resources (Permanent Sovereignty) (Code of Conduct for
Investors in Natural Wealth and
Resources)*

GN No. 58 (contd.)

Cap. 2 thereto are conducted in a manner consistent with the highest ethical principles at all times, and within the requirements of the Constitution of the United Republic of Tanzania 1977 and all applicable national policies and laws.

(2) The Code of Conduct is rooted in the values that safeguard current and future generations in the protection and utilization of natural wealth and resources as required by the Constitution of the United Republic of Tanzania.

PART II
CODE OF CONDUCT

Compliance with
policies and laws

5.-(1) An investor who enters into any arrangement, agreement, business or activity in natural wealth and resources shall at all times comply with all applicable policies, laws, regulations, and other binding instruments and decisions based upon such instruments.

(2) All activities for which an investor engages in shall adhere to both the letter and intention of applicable policies and legislation, and shall always be conducted firmly within the established interpretation of such policies and legislation, avoiding any activities that are conducted outside the limits of the policies and legislation, or in ambiguous areas.

(3) For the avoidance of doubt, the advise on policy matters by the policy bearer or the advise on legal matters by the Office of the Attorney General shall always be sought should the provisions of a legislation, the requirements of this Code of Conduct, or other instruments related to natural wealth and resources become ambiguous or unclear or be in conflict such as to course uncertainty.

General
covenant

6. Every entity, consultant, supplier, contractor, investor, partner and agent including employees governed by this Code of Conduct, covenants to operate in good faith, transparently and in the general interest and welfare of the people of the United Republic of Tanzania to whom the natural wealth and resources belong and undertake further to report to Government any conduct that is likely to deny the people of the United Republic of Tanzania benefits accruing from the prospecting, exploration, or utilisation of these natural wealth and resources.

*Natural Wealth and Resources (Permanent Sovereignty) (Code of Conduct for
Investors in Natural Wealth and
Resources)*

GN No. 58 (contd.)

Corruption or
economic and
organised crimes

7.-(1) An investor shall not engage in any activities amounting to corruption, bribery, trading in influence, the making of facilitation payments as well as any other form of economic and organised crimes.

(2) For the purpose of this regulation-

- (a) “activities amounting to” include giving, offering, requesting, or receiving advantages in any form, or otherwise an attempt thereof, directly or indirectly, in order to obtain an advantage not otherwise obtained, or only obtained at a later point in time; and
- (b) “advantage” includes the provision of cash, objects, credits, discounts, travel accommodation, or services, other than the provision of minor gifts or souvenirs endorsed with the investor’s corporate logos.

(3) An investor shall offer hospitality or gift in the manner stipulated in the laws governing such matter that is subject of being accorded hospitality or yielding a gift.

(4) An investor shall not directly or indirectly involve himself in the breach of general or fair competition laws and regulations, including illegal cooperation on pricing or illegal market sharing.

(5) An investor intending to enter into arrangements or agreements or otherwise work on natural wealth and resources in the United Republic of Tanzania shall sign a declaration in the form appended to this Code of Conduct, and where the investor is a legal entity, it shall display the declaration in a conspicuous place of its principal place of business.

(6) Nothing under this regulation shall be construed to prevent action intended to avoid loss of life or personal injury.

Conflict of
interest

8.-(1) An investor shall at all times be conscious of possible conflicts of interest, and shall address such matters in good faith and transparent manner.

(2) Where a conflict of interest arises, the parties involved shall be notified, and measures to address the conflict of interest shall be resolved transparently and in good faith.

(3) An investor shall exercise care and diligence to prevent any actions, omissions or conditions that could result

*Natural Wealth and Resources (Permanent Sovereignty) (Code of Conduct for
Investors in Natural Wealth and
Resources)*

GN No. 58 (contd.)

in a conflict of interest.

(4) Failure to address a conflict of interest constitutes a breach of this Code.

Respect for basic
rights

9.-(1) An investor shall, without compromise, respect and uphold the basic rights as set out in the Constitution of the United Republic.

(2) An investor shall not commit basic rights violations, whether directly or indirectly.

(3) Due care shall be exercised by an investor to avoid being complicit in basic rights violations committed by third parties or affiliate of the investor, and where there is reasonable suspicion that a third party or affiliate of the investor is committing basic rights violations, the investor shall endeavor to promptly address the situation and report to government authorities.

Non-
discrimination

10. An investor shall not in the course of implementing any activity, discriminate any person in the form of gender, age, disability, sex, tribal, religion, marital status, union membership, or political belief and affiliation.

Workers' rights

11.-(1) All employees of an investor shall be entitled to work in a safe and healthy environment and to be paid fairly for the work done.

(2) All involuntary labour or any form of exploitation is prohibited.

(3) Employees of an investor shall be entitled to form and join unions of their choosing, and have collective bargaining rights.

(4) An investor or his affiliate shall not take any adverse action whatsoever against any employee who raises any issue regarding a breach of any policy, legislation or this or any other Code of Conduct, provided that such an issue has been raised in a lawful manner.

(4) An employee shall be entitled to benefits which are not less favorable than the highest applicable minimum wage and reasonable industry standard.

(5) An investor or his affiliate shall not take disciplinary measures over an employee in the form of reduction in benefits.

Child rights

12.-(1) Any person under the age of 18 is a child for

*Natural Wealth and Resources (Permanent Sovereignty) (Code of Conduct for
Investors in Natural Wealth and
Resources)*

GN No. 58 (contd.)

- | | |
|-----------------------|---|
| protection | <p>the purposes of this regulation.</p> <p>(2) Child labour is strictly prohibited.</p> <p>(3) Notwithstanding subregulation (1), an investor may permit a child to participate in work-related activities of limited scope and occasional nature provided that-</p> <ul style="list-style-type: none">(a) the child is not exposed to hazardous work or work environment;(b) the activities do not violate the child's right to healthy development;(c) the activities do not deny the child the right to a quality education; and(d) the activities are conducted in a way that is in the best interests of the child. |
| Impact on environment | <p>13.-(1) An investor shall ensure that all activities are consistent with environmental best practice.</p> <p>(2) An investor shall ensure that-</p> <ul style="list-style-type: none">(a) the impact of any activities conducted are minimized and any environmental impact is considered when making business decisions;(b) unless there are compelling grounds to the contrary, the most environmentally-friendly option is always preferred over less environmentally-friendly alternatives;(c) the harvesting of renewable natural resources does not entail the over-exploitation of those resources and is limited to the allowable exploitation ratios; and(d) relevant discharge permits are obtained so as to ensure that there is compensation against any kind of discharge that-<ul style="list-style-type: none">(i) destroys the livelihood inputs for rural house hold and farming activity;(ii) causes irreparable distortion on the environment; or(iii) results in the environment displacement of people. <p>(3) A holder of natural wealth and resources right shall have due regard to the effects of natural wealth and resources operations on the environment and shall take such steps as may be necessary to prevent pollution of the environment as a result of natural wealth and resources operations.</p> |

*Natural Wealth and Resources (Permanent Sovereignty) (Code of Conduct for
Investors in Natural Wealth and
Resources)*

GN No. 58 (contd.)

Competition

14. An investor shall, for any agreement or understanding with competitors including market-sharing agreements and cooperation regarding the fixing of prices, exercise due care to avoid any breach of applicable competition laws and regulations.

Avoiding breach
of Code

15.-(1) An investor shall conduct due enquiries as measures to avoid breach of the Code.

(2) Every investor including his affiliate shall actively seek to avoid breach of the Code, and in the event there being a reasonable suspicion of breach, an investigation for that purpose shall forthwith be sought.

(3) An investor shall put in place procedures to ensure ongoing adherence to the Code, and management of an investor shall, on a regular basis, report on such compliance to the Government.

(4) At a minimum, an investor shall ensure that he puts in place procedures to identify areas where there are increased risks of violating the Code and how such risks can be mitigated.

Periodic reviews

16.-(1) An investor shall conduct periodic reviews for the purpose of ensuring that the investment operates in a manner consistent with the intended purposes and that the investor does not engage in activities that could jeopardize its legal status.

(2) Periodic reviews shall, at a minimum, include the following subjects:

(a) whether the investment benefits the people of the United Republic of Tanzania based on competent survey information and the result of agreed deliverables; and

(b) whether the investment-

(i) continues to conform to the investment's written policies;

(ii) transactions are properly recorded;

(iii) continues to further investment purposes; and

(iv) does not result in unconscionable behaviors prohibited by the laws of the United Republic of Tanzania.

*Natural Wealth and Resources (Permanent Sovereignty) (Code of Conduct for
Investors in Natural Wealth and
Resources)*

GN No. 58 (contd.)

Audit and
monitoring
compliance

17.-(1) The Government shall be entitled to audit and monitor any investor bound by the Code in order to verify compliance.

(2) The mandate referred to under subregulation (1) may be exercised in the form of on-site spot visits, without the need of notice to that effect.

Implementation
of Code

18.-(1) This Code is implied in every arrangement or agreement on natural wealth or resources.

(2) This Code shall be made available within the investor's entity, including its internal and external web sites and on noticeboards at entity's premises.

(3) This Code is presumed to be known to every investor and its affiliate or third party as well as their employees at the start of their engagement or employment.

(4) This Code shall be mainstreamed into various manuals of the investor.

Corrective
action and non-
compliance

19.-(1) This Code sets out the minimum standards expected to be met by all investors throughout the value chain in the natural wealth and resources.

(2) The Government is aware of the fact that some requirements may not be met immediately, but these are to be settled by open dialogue and corrective actions by those involved.

(3) Where an investor commits serious or repeated violations of the Code, and appropriate corrective actions have not been taken within a reasonable time frame, the Government may terminate its business relationship with the investor without that investor being entitled to compensation or other remedies.

Honesty and
integrity self-test

20.-(1) If at any time the investor who engages in activities that relate to natural wealth and resources in the United Republic is called to state his position on the activities whether he complies with the principles set out in this Code, he shall ask himself the following questions:

- | | | |
|----|---------------|--|
| A. | Content Test | Did I take all relevant matters into consideration and weigh them properly? |
| B. | Legality Test | Am I confident that my decision is within the constraints of legal and company requirements? |

*Natural Wealth and Resources (Permanent Sovereignty) (Code of Conduct for
Investors in Natural Wealth and
Resources)*

GN No. 58 (contd.)

- | | | |
|----|---------------------|--|
| C. | Supervisor Test | Do I stand by my decision when it is revealed? |
| D. | Universality Test | Am I in favour of what is being done to the people of the United Republic taking into account universally acceptable principles? |
| E. | Public Test | Do I still think my decision is right when my company has to justify it in public? |
| F. | Involvement Test | Would I accept my own decision if I were affected? |
| G. | Second Opinion Test | What would my family say about my decision? |

(2) Where the answer to questions A-F is “Yes” and the answer to question “G” is positive, the activities are very likely to be compliant with the principles set out in this Code.

(3) Where questions remain unanswered or if the head of such institutions has any doubts, he should get in touch with the Government for further assessment of compliance with the laws on natural wealth and resources of the United Republic.

Integrity pledge

21. Every investor shall sign an Integrity Pledge prescribed in the Schedule to these Regulations to abide with ethical business practice in order to support national campaign against corruption.

*Natural Wealth and Resources (Permanent Sovereignty) (Code of Conduct for
Investors in Natural Wealth and
Resources)*

GN No. 58 (contd.)

SCHEDULE

(Made under regulation 21)



INTERGRITY PLEDGE FOR NATIONAL AND INTERNATIONAL INVESTORS
ENGAGED IN ACTIVITIES THAT RELATE TO NATURAL WEALTH AND
RESOURCES IN THE UNITED REPUBLIC OF TANZANIA

IN RECOGNITION of the importance of commitment and willingness by the Individuals and organizations involved in harvest and extraction of natural wealth and resources, to contribute to the elimination of corruption through ethical behavior, transparency and zero tolerance against corruption in all related dealings;

IN RECOGNITION THAT business practices, corruption and other malpractices are potential impediments to sustainable economic growth and prosperity and erode public confidence in Government and their institution's ability to serve their citizens fairly; and

IN FURTHER RECOGNITION of our financial, environmental and social responsibility for the benefit of the people of the United Republic of Tanzania and the entire Nation:

I/We..... Pledge that, I/We will operate in good faith, transparently and in the general interest of the Tanzanian's nation and welfare of the people of the United Republic of Tanzania to whom the natural wealth and resources belongs, and will promote integrity values, and good Governance.

I/We will abide with ethical business practice and support National campaign against corruptions by not initiate, submit, solicit, receive or accept bribes or any other form of corruption in acquiring rights in lawful dealings with the natural wealth and resources

*Natural Wealth and Resources (Permanent Sovereignty) (Code of Conduct for
Investors in Natural Wealth and
Resources)*

GN No. 58 (contd.)

I/We will ensure fair competitive practices are an integral part of the way we conduct our business including transparency in all business transactions and good corporate governance;

I/We will promote transparency and efficiency at all levels within our organization and implement internal systems and controls to ensure good governance and institutionalize the values of ethics, integrity, accountability and transparency;

I/We will refrain from engaging in business with parties who have demonstrated unethical business practices;

I/We will have general objectives to establish and maintain a compliance programme throughout the terms of dealings in Natural Wealth and Resources that includes the following principles, Written Code of Conduct, Policies and Procedures Training and awareness in natural wealth and resources and any notification of investigation and legal proceedings;

In any dealings, I/we will opt for the most environmentally-friendly technology to protect the natural environment, ecosystem water, flora and fauna so as to minimize environment impact such as destruction of the livelihood, displacement into rural house hold, farming activity and any irreparable distortion;

I/We will ensure proper insurance cover against losses, injuries or damages to environment and to the individuals, house hold, farming activity and properties and any irreparable distortion that may be occasioned in the course of carrying natural wealth activities;

I/We will support the development of an audit and certification program against corruption and participate in the implementation of tools and measures created in order to ensure transparency, efficiency, and ethical business practice;

I/We agree and recognize that the clauses contained in this document are legal and ethical matters which I/We are obliged to abide by;

I am/We are also aware that violation of the clauses laid down is in breach of the Natural Wealth and Resources (Permanent Sovereignty) Act, 2017 and The Natural Wealth (Review and Renegotiation of Unconscionable Terms) Act, 2017, The Prevention and Combating of Corruption Act, 2007 the Public Procurement Act, 2011 the Economic and Organized Crime Control Act,

*Natural Wealth and Resources (Permanent Sovereignty) (Code of Conduct for
Investors in Natural Wealth and
Resources)*

GN No. 58 (contd.)

(cap.200) or any other written laws and legal action may be taken for violating the stated clauses, thus;

We desist from engaging in any arrangement or agreement that undermines or is in any manner prejudicial to the Nations financial and monetary systems, in particular, all earnings payments or receivables derived from or in respect of mining operations or activities shall be received in and accounted for in Tanzania;

I/We will disengage in arrangement that is inconsistence with the country economic objectives Policies and Strategies;

I/We will disengage in an arrangement that undermine or is otherwise prejudicial to Tanzania's national security;

I/We will disengage in any malpractices including tax evasion, double taxation, under or overpricing, transfer pricing and corruption;

All that is stated hereinabove, I/We shall conscientiously ensure that my/our employees and agents comply with this Integrity Pledge and in any event of non-compliance, I/We commit ourselves to be responsible and accountable for any misconduct (s).

SWORN/ AFFIRMED at.....this.....day
of.....20....by.....who is the Director(s) of M/S.....(name
of a Company/individual(s)) a holder of Natural Resources right

SIGNATURE and/or SEAL OF THE COMPANY

Signature:

Name:

Designation:

*Natural Wealth and Resources (Permanent Sovereignty) (Code of Conduct for
Investors in Natural Wealth and
Resources)*

GN No. 58 (contd.)

BEFORE ME:

Signature:

Name:

Designation: COMMISSIONER FOR OATHS AND NOTARY PUBLIC

Date:

Dodoma

I acknowledge that I have read and understand the clauses within the Integrity
Pledge before signing.

NAME OF THE CEO COMPANY NAME	SIGNATURE	DATE
.....		

COMPANY NAME	SIGNATURE	DATE
.....		

COMPANY STAMP/SEAL
.....

OFFICE SIGNATURE/SEAL
.....

Dodoma,
23rd December, 2019

AUGUSTINE P. MAHIGA
Minister for Constitutional and Legal Affairs

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GOVERNMENT NOTICE NO 59 Published On 31/1/2020

THE ENVIRONMENTAL MANAGEMENT ACT,
(CAP. 191)

REGULATIONS

(Made under section 230(1) and (2) (f))

THE ENVIRONMENTAL MANAGEMENT (CONTROL AND MANAGEMENT OF MERCURY
AND MERCURY COMPOUNDS) REGULATIONS, 2020

Regulation Title

PART I
PRELIMINARY PROVISIONS

1. Citation.
2. Application.
3. Interpretation.

PART II
OBJECTIVES

4. Objectives.

PART III
ADMINISTRATION AND INSTITUTIONAL ARRANGEMENT

5. National Environmental Advisory Committee.
6. Functions of Minister.
7. Functions of Director of Environment.
8. Functions of Council.
9. Functions of Chief Government Chemist.
10. Functions of Director General of Tanzania Medicine and Medical Devices Authority.
11. Functions of Commissioner for Minerals.
12. Functions of Chief Medical Officer.
13. Functions of Tanzania Bureau of Standards.
14. Functions of Local Government Authority.
15. Powers of Environmental Inspector.

PART IV

ELEMENTAL MERCURY AND MERCURY COMPOUNDS

16. Registration and issuance of permits.
17. Application for registration of dealers, chemicals and premises.
18. Issuance of certificates of registration.
19. Conditions for use of mercury and mercury compounds in laboratory and research.
20. Issuance of permits.
21. Seizure of illegally stored mercury or mercury compounds.
22. Requirements for environmentally sound interim storage of mercury.
23. Requirements for environmentally sound management of mercury and mercury compounds.
24. Offences and penalties.

PART V
UNDESIRABLE MEDICAL DEVICES

25. Undesirable medical devices.
26. Issuance of permit.
27. Requirements for environmentally sound management of undesirable medical devices.
28. Gradual phase-out of undesirable medical devices.
29. Offences and penalties.

PART VI
DENTAL AMALGAM

30. Gradual phase-out of dental amalgam.
31. Prohibition on use of mercury in bulk form.
32. Restriction on use of dental amalgam to children and women.
33. National strategy for gradual phase-out of dental amalgam.
34. Requirements for environmentally sound management of dental amalgam.
35. Offences and penalties.

PART VII
MANUFACTURING PROCESSES USING MERCURY OR MERCURY COMPOUNDS

36. Prohibition on use of mercury in manufacturing processes.
37. Measures for prohibition on use mercury in manufacturing processes.
38. Offences and penalties.

PART VIII
MERCURY-ADDED PRODUCTS

39. Prohibition of mercury-added products.
40. Requirements for environmentally sound management of mercury-added products.
41. National plan for gradual phase-out of mercury added products.

PART IX
SMALL-SCALE GOLD MINING

42. Reduction of mercury use in small-scale gold mining.
43. Measures for reduction of mercury use in small-scale gold mining.
44. National action plan for small-scale gold mining.
45. Public health strategy for preventing and mitigating exposure to mercury.
46. Offences and penalties.

PART X
MERCURY EMISSIONS AND RELEASES

47. Point source categories of mercury emissions and releases.
48. Prohibition for haphazard discharge of mercury.
49. Inventory and register of point source categories of mercury emissions and releases.
50. National plan for reducing mercury emissions and releases from point sources.
51. Enforcement and compliance.
52. Offences and penalties.

PART XI
MERCURY WASTES

53. Mercury waste classification.
54. Threshold limit for mercury waste.
55. Prohibition on importation of mercury waste.
56. Registration of generators of mercury waste.
57. Requirements for environmentally sound management of mercury waste.
58. Offences and penalties.

PART XII
MERCURY CONTAMINATED SITES

59. Threshold value for mercury contaminated sites.
60. Liability for management of mercury contaminated sites.
61. Inventory and register of mercury contaminated sites.
62. Offences and penalties.

PART XIII
COMPLIANCE AND ENFORCEMENT

- 63. Powers to serve environmental protection order.
- 64. Compliance order.
- 65. Cancellation of certificate or permit.

PART XIV
GENERAL PROVISIONS

- 66. Notification on ailments or death associated with mercury.
- 67. Inquiry or investigation.
- 68. Duty to keep records.
- 69. Labelling requirements.
- 70. Validity of certificates and permits.
- 71. Liability for damages.
- 71A. Requirements for occupational medical examination of employees.
- 72. Provision of appropriate personal protective gears.
- 73. Requirements for sample analysis by accredited laboratory.
- 74. Appeals.
- 75. Powers to issue guidelines or order.
- 76. General penalty.

SCHEDULES

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

GOVERNMENT NOTICE NO 59 Published On 31/1/2020

THE ENVIRONMENTAL MANAGEMENT ACT,
(CAP. 191)

REGULATIONS

(Made under section 230 (1) and (2) (f))

THE ENVIRONMENT MANAGEMENT (CONTROL AND MANAGEMENT OF MERCURY
AND MERCURY COMPOUNDS) REGULATIONS, 2020

PART I
PRELIMINARY PROVISIONS

Citation 1. These Regulations may be cited as the Environmental Management (Control and Management of Mercury and Mercury Compounds) Regulations, 2020.

Application 2.-(1) These Regulations shall apply to-

- (a) import, export, transport, sale, distribution, storage, use and disposal of mercury and mercury compounds;
- (b) use of mercury and mercury compounds in manufacturing processes or in small-scale gold mining;
- (c) mercury-added products; and
- (d) point sources associated with mercury emissions and releases.

(2) Notwithstanding the provisions of sub-regulation (1) these Regulations shall not apply to the use of mercury and mercury compounds for-

- (a) civil protection and military uses;
- (b) research, calibration of instrumentation and for use as reference standard;
- (c) electrical and electronic devices where no feasible mercury free alternative for replacement is available; and
- (d) vaccines containing ethyl mercury (thiomersal) as preservatives.

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

(3) These Regulations shall apply to Mainland Tanzania.

Interpretation	3. In these Regulations, unless the context requires otherwise-
Cap. 191	"Act" means the Environmental Management Act;
	"allowable emission standards" means a limit on the concentration, mass or emission rate of mercury or mercury compounds, often expressed as "total mercury", emitted from a point source to the atmosphere;
	"allowable release standards" means a limit on the concentration, mass or release rate of mercury or mercury compounds, often expressed as "total mercury", released from a point source to land or water;
	"Basel Convention" means the Basel Convention on the Control of Trans-boundary Movements of Hazardous Wastes and their Disposal;
	"best available techniques" means those techniques that are the most effective to prevent and, where that is not practicable, to reduce emissions and releases of mercury to air, water and land and the impact of such emissions and releases on the environment as a whole;
	"Best Environmental Practices" means the application of the most appropriate combination of environmental control measures and strategies to prevent or reduce emissions and releases of mercury and associated environmental impacts as a whole;
Cap. 182	"Chief Government Chemist" means the Chief Government Chemist appointed under the Industrial and Consumer Chemicals (Management and Control) Act;
Cap. 99	"Chief Medical Officer" means the Chief Medical Officer appointed under the Public Health Act;
Cap. 123	"Commissioner for Minerals" means the Commissioner for Minerals appointed under the Mining Act;
	"Council" means the National Environment Management Council referred to under section 16 of the Act;
	"dental amalgam" means a dental filling material which is used to fill cavities caused by tooth decay and which its primary component is elemental mercury with alloy mixture of silver, tin, copper and other trace metals;
	"Director of Environment" means the Director of Environment appointed pursuant to section 14(2) of the Act;
Cap 219	"emissions" means emissions of mercury or mercury compounds to the atmosphere;
	"Environmental Inspector" means an inspector appointed under

section 182 of the Act;

“environmentally sound management” means taking all practicable steps to ensure that the overall management takes place in such a manner that protects human health and the environment against the adverse effects of mercury or mercury compounds;

"environmental protection order" means a written statutory order that requires a person to undertake actions to remedy a risk or prevent further environmental harm;

"gold amalgamation" means the process of mixing elemental mercury with gold ore slurry to capture gold;

“mercury” means elemental mercury (Hg(0), CAS No. 7439-97-6);

“mercury-added product” means a product or product component or chemical that contains mercury or a mercury compound that was intentionally added in order to provide a specific characteristic, appearance, or quality, or to perform a specific function or for any other reason;

“mercury compound” means any substance consisting of atoms of mercury and one or more atoms of other chemical elements that can be separated into different components only by chemical reactions;

“mercury wastes” means substances or objects:

(a) consisting of mercury or mercury compounds which generally includes mercury or mercury compounds that may be stored, stockpiled or are ‘obsolete’ due to import or export bans or other regulations that require that they be designated as waste;

(b) containing mercury or mercury compounds including wastes of mercury-added products such as mercury thermometers and fluorescent lamps; or

(c) contaminated with mercury or mercury compounds including residues generated from mining processes, industrial processes, or waste treatment processes;

“Minister” means the Minister responsible for matters relating to environment;

“Minamata Convention” means the Minamata Convention on Mercury;

"permit" in relation to these Regulations means permits issued by Regulatory Authorities mandated to perform various functions under these Regulations;

"point source" means single identifiable, localized, stationary source of mercury emissions and releases;

“releases” means releases of mercury or mercury compounds to

land or water;

“small-scale gold mining” means gold mining conducted by individual miners or small enterprises with limited capital investment and production;

"undesirable medical device" means any medical device containing mercury which is intentionally added during manufacture of such device to provide a specific characteristic, appearance or quality, or to perform a specific function such as thermometers and sphygmomanometers (blood pressure devices);

"worst practices" means inappropriate handling of mercury or mercury compounds which results into their haphazard emission or release or both, into the environment particularly open burning of gold amalgam and processing of mercury-contaminated tailings with cyanide to extract gold.

PART II OBJECTIVES

Objectives

4. The objectives of these Regulations shall be to-

- (a) domesticate legal obligations of the Minamata Convention;
- (b) strengthen institutional coordination and enforcement of relevant written laws on the control and management of mercury and mercury compounds;
- (c) control the importation, exportation, manufacture, transportation, sale, distribution, storage and use of mercury and mercury compounds;
- (d) promote environmentally sound management of mercury and mercury compounds;
- (e) enforce national standards on allowable mercury emissions and releases from point sources; and
- (f) ensure protection of human health and the environment from anthropogenic emissions and releases of mercury and mercury compounds.

PART III ADMINISTRATION AND INSTITUTIONAL ARRANGEMENT

National
Environment

5. The National Environmental Advisory Committee established under the Act, shall be responsible for advising the

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

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| al Advisory
Committee | Minister on matters pertaining to the control and management of mercury and mercury compounds, with respect to- |
| | (a) sources and trends in mercury emissions and releases; |
| | (b) setting national priorities and promoting environmentally sound management of mercury and mercury compounds; |
| | (c) implementation of national plans, strategies, programmes and projects for enhancing the control of mercury emissions and releases; and |
| | (d) enhancing working partnership, coordination and effective engagement of regulatory authorities and other key stakeholders for effective implementation of these Regulations. |

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| Functions of
Minister | 6.-(1) In these Regulations, the Minister shall- |
| | (a) articulate national priorities, policy instruments and strategic interventions to promote environmentally sound management of mercury and mercury compounds; |
| | (b) mobilize implementation of relevant national plans, strategies and programmes for the control of mercury and mercury compounds; |
| | (c) ensure effective engagement, collaboration and information sharing among key stakeholders towards enhancing the control and management of mercury emissions and releases; and |
| | (d) perform any other functions vested upon him by the Act and these Regulations. |
| | (2) The Minister shall, in the discharge of his functions under these Regulations, collaborate with the Director of Environment, Council, Chief Government Chemist, Ministry responsible for Minerals, Tanzania Medicine and Medical Devices Authority, Tanzania Bureau of Standards, Ministry responsible for Health, Ministry responsible for Local Government Authorities and Environmental Inspectors. |

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| Functions of
Director of
Environment | 7. For the purpose of these Regulations, the Director of Environment shall- |
| | (a) serve as National Focal Point for the Minamata Convention and coordinate its implementation; |
| | (b) prepare national report on the implementation of the Minamata Convention and submit to the Secretariat of the Convention; |

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

- (c) prepare and coordinate implementation of relevant national plans and strategies for the control and management of mercury and mercury compounds;
- (d) develop guidelines for promoting environmentally sound management of mercury and mercury compounds;
- (e) coordinate and promote public awareness on the control and management of mercury and mercury compounds;
- (f) ensure sectoral coordination, monitoring and mobilization of stakeholders for control and management of mercury and mercury compounds; and
- (g) carry out such other functions vested upon him under the Act and these Regulations.

Functions of
Council

shall-

8. For the purpose of these Regulations, the Council

- (a) coordinate enforcement and compliance of these Regulations;
- (b) ensure control of manufacturing processes that use mercury or mercury compounds;
- (c) ensure environmentally sound management of mercury waste and mercury contaminated sites;
- (d) prescribe procedures and guidelines on clean-up and remediation of mercury contaminated sites;
- (e) undertake periodic inventory and maintain a register of mercury contaminated sites;
- (f) enhance public awareness on mercury related issues;
- (g) coordinate and ensure enforcement of national standards on allowable mercury emissions and releases for point source categories; and
- (h) carry out such other functions vested upon the Council under the Act and these Regulations.

Functions of
Chief
Government
Chemist

Government Chemist shall-

9. For the purpose of these Regulations, the Chief

- (a) serve as the Registrar of mercury and mercury compounds;
- (b) issue certificate for registration to importers, exporters, dealers, transporters, users or storage of mercury and mercury compounds in accordance with the Industrial and Consumer Chemicals (Management and Control) Act;

Cap. 182

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

- Cap. 182
- (c) issue permits for importation, exportation or transportation of mercury and mercury compounds in accordance with the Industrial and Consumer Chemicals (Management and Control) Act;
 - (d) provide referral laboratory services for analysis of mercury or environmental or occupational samples;
 - (e) conduct periodic inventory to the end user of mercury and mercury compounds;
 - (f) enhance public awareness on mercury related issues;
 - (g) ensure enforcement and compliance of mercury trade requirements provided under these Regulations and any other related written laws; and
- Cap. 182
- (h) carry out such other functions vested upon him under the Industrial and Consumer Chemicals (Management and Control) Act and these Regulations.
- Functions of Director General of Tanzania Medicine and Medical Devices Authority
- 10.** For the purpose of these Regulations, the Director General of Tanzania Medicine and Medical Devices Authority shall-
- (a) regulate the manufacturing, importation, exportation, distribution of undesirable medical devices containing mercury or mercury compounds;
 - (b) undertake inventory and maintain a register of undesirable medical devices containing mercury or mercury compounds;
 - (c) develop and coordinate implementation of a national strategy for gradual phase-out of undesirable medical devices containing mercury or mercury compounds;
 - (d) enhance public awareness on mercury related issues; and
- Cap. 219
- (e) carry out such other functions vested upon him under the Tanzania Food, Drugs and Cosmetics Act and these Regulations.
- Functions of Commissioner for Minerals
- 11.** For the purpose of these Regulations, the Commissioner for Minerals shall-
- (a) ensure reduction, and where feasible eliminate, the use of mercury in small-scale gold mining;
 - (b) promote elimination of worst practices contributing in mercury emissions and releases during extraction of gold;

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

- Cap. 123
- (c) promote mercury-free technologies and best practices in mercury use for gold extraction;
 - (d) conduct periodic inventory and maintain a register of mercury consumption and any other related information in small-scale gold mining;
 - (e) promote and ensure compliance to occupational health and safety, and environmental legal requirements in small scale gold mining;
 - (f) enhance public awareness on mercury related issues;
 - (g) support implementation of the National Action Plan for Small-Scale Gold Mining; and
 - (h) carry out such other functions vested upon him under the Mining Act and these Regulations.

Functions of
Chief
Medical
Officer

12. For the purpose of these Regulations, the Chief Medical Officer shall-

- (a) develop, implement and update a dedicated public health strategy for preventing and mitigating mercury exposure to small-scale gold mining communities;
 - (b) undertake epidemiological surveillance to assess health impacts associated with mercury;
 - (c) coordinate development and implementation of a national plan to gradually phase-out the use of dental amalgam;
 - (d) ensure compliance and enforcement of these Regulations in dental facilities and any other related mercury sources;
 - (e) enhance public awareness on mercury related issues; and
 - (f) carry out such other functions vested upon him under the Public Health Act and these Regulations.
- Cap. 99

Functions of
Tanzania
Bureau of
Standards

13. For the purpose of these Regulations, the Director General of the Tanzania Bureau of Standards shall-

- (a) develop national standards on allowable emissions and releases of mercury from point source categories;
- (b) maintain a register of mercury-added products and their alternatives;
- (c) enforce the prohibition of the manufacture, import or

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

- export of mercury-added products as from 2030 in accordance with the provisions of the Minamata Convention;
- (d) enhance public awareness on mercury related issues and disseminate Code of Practice for Management of Mercury in Small-Scale Gold Mining and Refineries; and
- Cap. 130 (e) carry out such other functions vested upon the Tanzania Bureau of Standards under the Standards Act and these Regulations.
- Functions of Local Government Authority
- 14.** For the purpose of these Regulations, each Local Government Authority shall, with respect to its area of jurisdiction, ensure that-
- (a) necessary steps are taken to minimize public health risks associated with mercury releases and emissions or contaminated sites;
- (b) provide information on mercury contaminated sites and any other source of mercury emissions and releases to the Council;
- (c) enhance public awareness on mercury related issues; and
- Cap. 191 (d) carry out such other functions vested upon the Local Government Authority under the Act and these Regulations.
- Powers of Environmental Inspector
- 15.** In addition to the powers contained in section 183 of the Act, an Environmental Inspector may-
- (a) carry out periodic inspection of all establishments or activities within the local limits of his jurisdiction in which importation, exportation, transportation, storage, use or dealing in mercury and mercury compounds, to ensure compliance of these Regulations;
- (b) enter upon any premises where mercury or mercury waste is stored, processed or disposed of;
- (c) stop and inspect any vehicle used for the transportation of mercury and mercury compounds;
- (d) take samples of mercury or environmental samples or articles to which these Regulations relate and, submit such samples for test and analysis in an accredited laboratory;
- (e) make examinations and enquiries to explore whether these Regulations and the Act are complied with;

- Cap. 191
- and
(f) compound offences in accordance with the provisions of section 194 of the Act.

PART IV
ELEMENTAL MERCURY AND MERCURY COMPOUNDS

Registration and issuance of permits

16. The Chief Government Chemist shall register and issue certificates of registration and permits for mercury and mercury compounds handling activities including the following-

- (a) importation;
- (b) exportation;
- (c) transportation;
- (d) distribution and sale;
- (e) storage; or
- (f) use.

Application for registration of a dealer, chemicals and premises

17. Any person who intends to import, export, transport, distribute, sale, store or use mercury and mercury compounds shall apply to the Chief Government Chemist for registration of-

- (a) a dealer;
- (b) chemicals; and
- (c) premises or facilities,

in a manner provided for in the Industrial and Consumer Chemicals (Management and Control) Act.

Cap. 182

Issuance of certificates for registration

18. The Chief Government Chemist shall issue certificates for registration in the following categories-

- (a) mercury and mercury compounds as chemical substances;
- (b) manufacturer, importer, exporter, user, transporter or distributor of mercury and mercury compounds; and
- (c) premises and facilities for handling mercury and mercury compounds.

Conditions for use of mercury and mercury compounds in laboratory and research

19.-(1) Without prejudice to the provisions of these Regulations, the allowed quantity of mercury and mercury compounds stored in premises used as a laboratory or research facility shall not exceed-

- (a) a weight of 500 g for mercury;
- (b) a weight of 300 g for each type of mercury compound in the form of a substance; and
- (c) a volume of 300 ml for each type of mercury

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

compound in the form of a solution.

(2) It shall be an offence to store mercury or mercury compounds for laboratory or research purposes which exceed the allowed quantities under sub-regulation (1).

Issuance of permits
Cap. 182

20. A person who intends to import, export or transport mercury and mercury compounds shall apply for mercury importation, exportation, or transportation permit to the Chief Government Chemist in a manner provided for in the Industrial and Consumer Chemicals (Management and Control) Act.

Seizure of illegally stored mercury or mercury compounds

21-(1) The Chief Government Chemist may seize and dispose of illegally stored mercury or mercury compounds.

(2) Without prejudice to sub-regulation (1), the cost incurred in the seizure, storage, handling, transportation and disposal of mercury or mercury compounds shall be borne by the person who illegally stored such mercury or mercury compounds.

Requirements for environmentally sound interim storage of mercury
Cap. 182

22.-(1) Mercury and mercury compounds shall be stored in quantities commensurate with their intended use.

(2) For the purpose of these Regulations, the threshold quantity of mercury for an interim storage shall be a stock of 100kg intended for use in small-scale gold mining.

(3) Pursuant to sub-regulation (2), a person in possession of mercury stock under interim storage shall apply for a permit to the Chief Government Chemist in a manner provided for in the Industrial and Consumer Chemicals (Management and Control) Act.

(4) Any person in possession of mercury stock under interim storage shall take all appropriate steps to ensure that it is managed in an environmentally sound manner.

Requirements for environmentally sound management of mercury and mercury compounds
Cap. 182

23. Any person who imports, exports, transports, distributes, stores or uses mercury and mercury compounds shall take all appropriate steps to ensure environmentally sound management of such chemicals as provided for in the Industrial and Consumer Chemicals (Management and Control) Act.

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

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| Offences and penalties | 24. A person who contravenes this Part commits an offence and upon conviction shall be liable- |
| | (a) in case of a body corporate to a fine of not less than five million shillings and not more than fifty million shillings; and |
| Cap. 182 | (b) in case of a natural person to a fine of not less than fifty thousand shillings and not more than five million shillings or a term of imprisonment of two years or to both. |

PART V
UNDESIRABLE MEDICAL DEVICES

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| Undesirable medical devices | 25. Medical devices containing mercury shall be considered to be undesirable medical devices, and are therefore subject for gradual phase-out. |
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| Issuance of permit | 26. Any person who intends to import or export undesirable medical devices shall apply for a permit to the Director General of Tanzania Medicine and Medical Devices Authority in a manner provided for in the Tanzania Food, Drugs and Cosmetics Act. |
| Cap. 219 | |

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| Requirements for environmentally sound management of undesirable medical devices | 27. Any person who manufactures, imports, exports, or uses undesirable medical devices shall take all appropriate steps to ensure environmentally sound management of such devices as provided for in the relevant written laws. |
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| Gradual phase-out of undesirable medical devices | 28.-(1) For the purpose of facilitating the gradual phase-out of undesirable medical devices, the Director General of Tanzania Medicine and Medical Devices Authority shall- |
| | (a) restrict and maintain a register of the importation, manufacture, storage, sale and distribution of undesirable medical devices; and |
| | (b) prescribe guidelines for environmentally sound management of undesirable medical devices. |
| | (2) The Director General of Tanzania Medicine and Medical Devices Authority by notice in writing, may require any |

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

person who manufactures, imports, exports, stores or uses undesirable medical devices to furnish him with information which that person has in his possession.

Offences and penalties

Cap. 219

29. Any person who contravenes this Part, commits an offence and upon conviction shall be liable to the penalty prescribed under the Tanzania Food, Drugs and Cosmetics Act.

**PART VI
DENTAL AMALGAM**

Gradual phase-out of dental amalgam

30. Dental amalgam fillings shall be subjected to gradual phase-out in line with the requirements of the Minamata Convention.

Prohibition on use of mercury in bulk form

31-(1) Dental amalgam shall be used only in pre-dosed encapsulated form.

(2) Dental practitioners shall not use mercury in bulk form.

Restriction on use of dental amalgam to children and women

32. Dental amalgam shall not be used for dental treatment of deciduous teeth of children under the age of 15 years, pregnant women and breastfeeding women, except when deemed strictly necessary by the dental practitioner based on the specific medical needs of the patient.

National strategy for gradual phase-out of dental amalgam

33.-(1) The Chief Medical Officer shall coordinate development and implementation of a national strategy for gradual phase-out of the use of dental amalgam.

(2) For the purpose of facilitating the gradual phase-out of the use of dental amalgam, the national strategy shall include the following priority interventions-

- (a) minimising the use of dental amalgam and prevention of dental caries;
- (b) promoting cost effective and clinically effective mercury-free alternatives for dental restoration;
- (c) promoting research and development of quality mercury free materials for dental restoration;
- (d) encouraging education and training of dental professionals and students on the use of mercury free dental restoration alternatives and promoting best management practices;
- (e) discouraging insurance policies and programmes that favour the use of dental amalgam over mercury free dental restoration;
- (f) restricting the use of dental amalgam to its encapsulated form; and
- (g) promoting the use of best environmental practices in dental facilities to reduce releases of mercury and mercury compounds to water and land.

Requirements
for
environmentally
sound
management
of dental
amalgam

34.-(1) All dental facilities in which dental amalgam is used shall ensure that they are equipped with amalgam separators for the retention and collection of amalgam particles, including those contained in wastewater generated from such facility.

(2) Amalgam separators put into service shall provide a retention level of at least 95% of amalgam particles.

(3) Dental practitioners shall ensure that their amalgam waste, including amalgam residues, particles, fillings, and teeth, or parts thereof, contaminated by dental amalgam, is handled in an environmentally sound manner as provided for in relevant written laws.

(4) Dental practitioners shall not release directly or indirectly such amalgam waste into the environment under any circumstances.

Offences and
penalties

35. Any person who imports or exports dental amalgam fillings or provides dental services using dental amalgam without registering or adhering to conditions stipulated in the permit or contravenes the provisions of these Regulations or other related legal requirements under the Public Health Act, commits an

Cap. 99

offence and upon conviction shall be liable to the penalty prescribed under the Public Health Act.

**PART VII
MANUFACTURING PROCESSES USING
MERCURY OR MERCURY COMPOUNDS**

Prohibition
on use of
mercury in
manufacturing
processes
Cap. 191

36.-(1) Manufacturing processes shall not use mercury or mercury compounds.

(2) Any person who contravenes sub-regulation (1) commits an offence and on conviction he shall be liable to the penalty prescribed in the Act.

Measures for
prohibition
on use of
mercury in
manufacturing
process

37. For the purpose of facilitating prohibition on the use of mercury in manufacturing processes, the Council shall-

- (a) refrain from processing the application for Environmental Impact Assessment certificates to new facilities with manufacturing processes that use mercury or mercury compounds;
- (b) enforce change to mercury-free manufacturing processes for existing facilities with manufacturing processes that use mercury or mercury compounds;
- (c) conduct public awareness on environmental and health risks of mercury and encourage the use of available mercury-free manufacturing technologies; and
- (d) perform such other functions as shall deem fit for the purpose of prohibiting manufacturing processes using mercury or mercury compounds.

Offences and
penalties
Cap. 191

38. Any person who imports or exports or uses manufacturing process technologies that use mercury or mercury compounds, commits an offence and upon conviction shall be liable to the penalty prescribed in the Act.

**PART VIII
MERCURY-ADDED PRODUCTS**

Prohibition
of mercury-
added
products

39.-(1) The export, import and manufacturing of mercury-added products set out in the First Schedule to these Regulations, shall be prohibited as from 2030 in line with the provisions of the Minamata Convention.

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

(2) A person shall not manufacture, import, export or place on the market new mercury-added products.

Requirements
for
environmenta
lly sound
management
of mercury-
added
products

40.-(1) Any person in possession of mercury-added products shall take all appropriate measures to ensure environmentally sound management of such products.

(2) Subject to the provisions of sub-regulation (1), a person shall not-

- (a) mix discarded mercury-added products with municipal wastes;
- (b) dispose mercury-added products in uncontrolled landfills, transfer stations, or incinerators, regardless of the amount of mercury in the product;
- (c) incinerate discarded mercury added products without dedicated flue gas cleaning and controls; and
- (d) export discarded mercury added products except for the purpose of environmentally sound disposal.

National plan
for gradual
phase-out of
mercury-
added
products

41.-(1) For the purpose of these Regulations, the Director of Environment shall coordinate preparation and implementation of national plan for gradual phase-out of mercury-added products.

(2) For the purpose of facilitating gradual phase-out of mercury-added products, the Tanzania Bureau of Standards shall-

- (a) maintain a register of mercury-added products and their alternatives;
- (b) restrict manufacturing, importation and exportation of mercury-added products to facilitate their phase-down;
- (c) facilitate public awareness on risks associated with mercury-added products; and
- (d) promote mercury free alternative products.

PART IX
SMALL-SCALE GOLD MINING

Reduction of
mercury use
in small-scale
gold mining

42. The Commissioner for Minerals, in collaboration with other relevant authorities, shall take steps to ensure reduction and where feasible eliminate the use of mercury in small-scale gold mining.

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

Measures for reduction of mercury use in small-scale gold mining

43. For the purpose of facilitating reduction of mercury use in small-scale gold mining, the Commissioner for Minerals shall-

- (a) promote elimination of worst practices particularly open burning of amalgam and processing of mercury contaminated tailings with cyanide to recover gold;
- (b) promote mercury-free technologies for gold processing;
- (c) promote best practices in gold processing using mercury;
- (d) conduct periodic inventory of mercury use in small-scale gold mining; and
- (e) provide information to miners and the public on mercury related issues.

National action plan for small-scale gold mining

44.-(1) The Director of Environment shall coordinate development, implementation and updating of national action plan for reduction, and where feasible eliminate, use of mercury in small-scale gold mining in accordance with the key elements specified in the Second Schedule to these Regulations.

(2) Subject to the provisions of sub-regulation (1), the national action plan shall be reviewed and updated after every five years.

Public health strategy for preventing and mitigating exposure to mercury

45.-(1) The Chief Medical Officer shall be responsible for development and implementation of a dedicated public health strategy for preventing and mitigating mercury exposure to small-scale gold mining communities.

(2) Subject to the provisions of sub-regulation (1), the public health strategy shall be reviewed and updated after every five years.

Offences and penalties

Cap. 182

46. Any person who uses mercury without registering to the Chief Government Chemist commits an offence and upon conviction shall be liable to the penalty prescribed under the Industrial and Consumer Chemicals (Control and Management) Act.

PART X
MERCURY EMISSIONS AND RELEASES

Point source

47.-(1) Point source categories of emissions and releases

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

categories of mercury emissions and releases of mercury and mercury compounds to the environment, in line with the Minamata Convention, shall include-

- (a) coal-fired power plants;
- (b) coal-fired industrial boilers;
- (c) smelting and roasting processes used in the production of non-ferrous metals;
- (d) waste incineration facilities; and
- (e) cement clinker production facilities.

(2) Without prejudice to sub-regulation (1), these Regulations shall apply to all other point source categories of mercury emissions and releases.

Prohibition for haphazard discharge of mercury

48. No person shall haphazardly discharge mercury or mercury compounds to any segment of the environment.

Inventory and register of point source categories of mercury emissions and releases

49.-(1) The Council shall undertake inventory and maintain a register of point source categories of emissions and releases of mercury and mercury compounds to the environment and submit annual inventory report to the Director of Environment.

(2) Without prejudice to sub-regulation (1), the Council shall maintain a pollutant release and transfer register to help collect and manage data on mercury emissions, releases and transfers to the environment.

National plan for reducing mercury emissions and releases from point sources

50. Notwithstanding the provisions of regulation 49, the Director of Environment shall coordinate preparation, implementation and updating of a national plan for controlling and where feasible reducing emissions and releases of mercury and mercury compounds to the environment from point sources and such plan may include the following measures-

- (a) development and implementation of national standards on allowable mercury emissions and releases from point sources;
- (b) promote use of Best Available Techniques and Best Environmental Practices to control mercury emissions and releases;
- (c) multi-pollutant control strategy that would deliver core benefits for control of mercury emissions and releases; and
- (d) alternative measures to reduce mercury emissions

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

and releases.

Enforcement
and
compliance

51. The Council, in collaboration with other relevant regulatory authorities, shall coordinate and ensure enforcement and compliance of national standards on allowable mercury emissions and releases from point source categories.

Offences and
penalties

52. Any person who operates a facility involving point source categories of mercury emissions and releases without adhering to relevant national standards commits an offence and upon conviction shall be liable to the penalty prescribed in the Act.

**PART XI
MERCURY WASTE**

Mercury
waste
classification

53.- Mercury waste shall be considered to be hazardous waste and shall be classified in accordance with the Basel Convention as follows-

- | | |
|-----------|--|
| (a) Code | Description; |
| (b) Y29 | Mercury, mercury compounds; |
| (c) A1010 | Metal waste and waste consisting of alloys of |
| (d) A1030 | Mercury;
Waste having as constituents or contaminants of |
| (e) A1180 | mercury or mercury compounds;
Mercury in waste electrical and electronic assemblies or scrap; mercury switches. |

Threshold
limit for
mercury
waste

54. Mercury waste includes all waste with a total mercury concentration greater than 1 ppm based on the analysis of an extract and includes organo mercury compounds.

Prohibition
on
importation
of mercury
waste

55. No person shall import mercury waste into the country for any purpose.

Registration
of generators
of mercury

56.- (1) The Council shall maintain a register of generators of mercury waste.

(2) The register may contain name and address of the

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

waste	responsible person, type of business, amount of mercury waste generated, type of mercury waste, collection scheme and how such wastes are finally managed or disposed of.
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Requirements for environmentally sound management of mercury wastes	57.-(1) The generator of mercury waste shall take appropriate measures so that mercury waste is managed in an environmentally sound manner, taking into account the guidelines developed under the Basel Convention and requirements of the Minamata Convention.
---	---

- (2) Subject to the provisions of sub-regulation (1), mercury waste shall-
- (a) not be mixed with other waste;
 - (b) not be discarded in uncontrolled landfills;
 - (c) not be co-incinerated without dedicated flue gas cleaning and controls;
 - (d) be treated to extract the mercury or to immobilize it in an environmentally sound manner; and
 - (e) not be exported except for the purpose of environmentally sound disposal.

Offences and penalties Cap. 191	58. Any person who generates or owns or handles mercury waste without adhering to conditions stipulated under the Act, commits an offence and upon conviction shall be liable to the penalty prescribed in the Act.
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**PART XII
MERCURY CONTAMINATED SITES**

Threshold value for mercury contaminated site	59. The threshold value to declare a mercury contaminated site shall be soil with an average concentration of mercury above 1ppm.
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Liability for management of mercury contaminated sites	60.-(1) An owner of a mercury contaminated site shall- (a) immediately notify the Council and Local Government Authority about the mercury contaminated site; (b) take all necessary steps to minimize public health risks associated with the site; and (c) prepare contingency plan for managing the contaminated site, which shall be presented to the Council for approval. (2) Where the owner of a mercury contaminated site
--	--

cannot be identified, the Local Government Authority of the respective jurisdiction shall assume the responsibility.

(3) Upon receiving notification of a mercury contaminated site, the Council shall prescribe procedures for clean-up and remediation of such site.

(4) The owner of a mercury contaminated site or Local Government Authority where applicable, shall be liable for the expenses incurred during clean-up operation of a mercury contaminated site.

Inventory
and register
of mercury
contaminated
sites

61. The Council shall undertake periodic inventory and maintain a register of mercury contaminated sites and submit annual report to the Director of Environment.

Offences and
penalties
Cap. 191

62. Any person who contravenes the provisions under this Part commits an offence, and upon conviction shall be liable the penalty prescribed in the Act.

PART XIII COMPLIANCE AND ENFORCEMENT

Powers to
serve
environmenta
l protection
order

63.-(1) Where an Environmental Inspector of the Council or of any other relevant authority for the purpose of compliance to these Regulations, has reasonable ground to believe that a person is dealing in or handling mercury or is in possession of mercury or mercury compounds that may result in violation of the provisions of these Regulations, he may serve an environmental protection order on that person.

(2) Without prejudice to sub-regulation (1), the Council or an Environmental Inspector may serve an environmental protection order to a person who is or will be dealing or handling dental amalgam or mercury-added products or manufacturing process using mercury or mercury waste that may result in violation of the provisions of these Regulations.

(3) A person on whom an environmental protection order is served shall comply with the requirements of the order by the date or dates specified in the order and if no date is specified, that person shall comply with the order immediately.

(4) A person who contravenes an environmental protection order commits an offence and shall upon conviction, be liable to a fine or imprisonment or to both as provided for in the Act.

Compliance
order

64.-(1) Where the Council or an Environmental Inspector has reasonable ground to believe that any condition of a certificate or permit issued under these Regulations has been breached, he may serve a compliance order requiring that person to remedy the breach within a period stipulated in the order, failure of which the issuing authority may cancel or revoke the certificate or permit.

(2) In addition to revocation or cancellation of certificate or permit under sub-regulation (1), the issuing authority may take any further action it deems appropriate.

Cancellation
of the
certificate or
permit

65. The issuing authority may suspend or revoke a certificate or permit issued for the purpose of giving effect to these Regulations where the authority is satisfied that-

- (a) the conditions of the grant of a certificate or permit have not been complied with; or
- (b) continuing with the activity is or is likely to be injurious to human health and the environment.

PART XIV GENERAL PROVISIONS

Notification
on ailments
or death
associated
with mercury

66.-(1) Any registered medical practitioner or physician who has reason to believe upon examination of a person that such a person has certain ailments or died as a result of exposure to mercury, shall notify in writing the Ministry responsible for health.

(2) Any medical practitioner, physician, public health officer, environmental or natural resources expert who has reason to believe that, certain ailments and death of human beings, animals or contamination to any vegetation or environment occurring in any area under his charge may be linked to exposure to mercury being handled or used in the area, shall notify in writing the Ministry responsible for health..

(3) Any veterinary or livestock officer who has reason to believe that, certain ailments and deaths of animals occurring in the area under his charge may be linked to exposure to mercury, shall notify the Ministry responsible for livestock.

Inquiry or
investigation

Cap. 24

67.-(1) The Ministry responsible for health may, upon receiving a notification under regulation 66 (1), cause an inquest to be carried out in accordance with the provisions of the Inquest Act.

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

(2) A person holding an inquest under this regulation shall report to the Council the findings and recommendations within six months.

(3) The Council shall report to the Minister on the findings and recommendations of the inquest and the measures to be taken.

(4) Any person obstructing a duly authorized officer to conduct an inquest under this regulation, commits an offence.

Duty to keep records

68.-(1) A person who imports, exports, transports, stores or uses mercury, mercury compounds, mercury-added products or undesirable medical devices in accordance with the provisions of relevant written laws, shall keep a record of all quantities and qualities of mercury, mercury compounds or mercury-added products imported, used, sold, distributed, stored, exported or transported.

(2) The records kept in accordance with sub-regulation (1), shall contain the name and address of persons involved in such transactions and shall contain any other matters that may be prescribed or contained in the conditions of registration of mercury or mercury compounds or mercury-added products or undesirable medical devices.

(3) The records kept by relevant authorities subject to the provisions of sub-regulation (1) and (2), shall be submitted to the Council at the end of each calendar year in a format that may be prescribed by the Council.

Labelling requirements

69. An importer, exporter, distributor, seller, user or warehouse operator shall affix a label on the mercury or mercury compounds or mercury-added products or undesirable medical devices to be imported, exported, transported, distributed, sold, used or stored in accordance with the provisions of the relevant written laws.

Validity of certificates and permits

70. The validity of certificates of registration or permits issued by regulatory authorities to facilitate compliance to these Regulations shall be valid for a term provided under the relevant written laws.

Liability for damages

71. Where any damage is caused by emissions and releases of mercury or mercury compounds contaminant into the environment, a person who caused or permitted such mercury or mercury compounds to be released or emitted, is liable for the damage to human health and the environment.

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

Requirements
for
occupational
medical
examination of
employees

71A. person who deals in mercury or mercury compounds shall ensure formal medical examination of employees as necessary, with respect to-

- (a) assessment of the health of employees in relation to hazards caused by exposure to mercury or mercury compounds;
- (b) diagnose occupational diseases and injuries caused by exposure to mercury or mercury compounds; and
- (c) availing the results of medical records to enable preparation of appropriate health statistics and epidemiological studies, provided anonymity is maintained, where this may help in the recognition and control of occupational diseases.

Provision of
appropriate
personal
protective
gears

72. An employer who engages or permits an employee to handle mercury or mercury compounds shall provide and require the employee to use personal protective gears conducive to the safe handling of such chemicals.

Requirements
for sample
analysis by
accredited
laboratory

73. Any determination of total quantity of mercury made for the purposes of these Regulations shall be conducted by an accredited laboratory.

Appeals

74. A person who is aggrieved by any decision made under these Regulations may appeal in accordance with the provisions of the relevant written laws.

Powers to issue
guidelines or
order

75. The Minister, after consultation with relevant sector ministries, may issue guidelines or orders to facilitate effective implementation of these Regulations.

General
penalty

76. Any person who commits an offence against the provisions of these Regulations and for which no specific penalty is specifically provided, shall be liable to a general penalty under the relevant written laws.

FIRST SCHEDULE

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

(Made under regulation 39)

LIST OF MERCURY-ADDED PRODUCTS AND THEIR ALTERNATIVES

Product Category	Name/Application / use	Mercury-free alternative
1. Batteries	Button cell, silver oxide	Mercury-free units
	Button cell, zinc air	
	Alkaline manganese (manganese dioxide)	
	Mercuric oxide	
	Button cell, mercuric oxide	
	Button cell, zinc carbon	
2. Electrical/ Electronic devices	Tilt/vibration switch	Capacitive, electrolytic, mechanical, metallic ball, potentiometer, solid-state
	Float switch	Alloy, capacitance, conductivity, magnetic dry reed, mechanical, metallic ball, optical, pressure transmitter, sonic/ultrasonic, thermal
	Pressure switch	Mechanical, solid-state
	Temperature switch	Mechanical, solid-state
	Displacement relay	Dry magnetic reed, electromechanical, hybrid (electromechanical & solid-state), silicon controlled rectifier, solid-state
	Wetted reed relay	
	Contact relay	
	Flame sensor	Electronic ignition system
	Thermostat	Digital, snap-switch
3. Measuring devices	Sphygmomanometer	Aneroid, oscillometrics
	Fever Thermometer	Digital, Liquid-in-glass
	Non-fever Thermometer	Bi-metal, digital, infrared, liquid-in-glass
	Hygrometer/Psychrometer	Digital, spirit-filled
	Barometer	Aneroid, digital
	Manometer	Aneroid, digital
	Flow Meter	Ball-actuated, digital
	Pyrometer	Digital, optical
	Hydrometer	Spirit-filled
4. Lamps/lighting	Linear fluorescent	Linear LED
	Compact fluorescent	LED, LED downlight
	High intensity discharge	Halogen, LED, mercury-free units
	Backlight units for LCD displays	LED
5. Dental amalgam	Dental cements and fillings	Composite, glass ionomer, resin ionomer
6. Paints	Interior/exterior paints	Non-mercury

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

Product Category	Name/Application / use	Mercury-free alternative
	(phenylmercuric acetate, biocide)	preservative/microbial
7. Pesticides	Agricultural applications (organomercurial compounds, biocide)	Non-mercury based pesticides
8. Cosmetics	Skin care products (creams, soaps, lotions)	Non-mercury preservative/microbial

SECOND SCHEDULE

(Made under regulation 44)

KEY ELEMENTS OF THE NATIONAL ACTION PLAN FOR
SMALL-SCALE GOLD MINING

1. The National Action Plan shall include the following key elements:
 - (a) National objectives and reduction targets;
 - (b) Actions to eliminate-
 - (i) whole ore amalgamation;
 - (ii) open burning of amalgam or processed amalgam;
 - (iii) burning of amalgam in residential areas; and
 - (iv) cyanide leaching in sediment, ore or tailings to which mercury has been added without first removing the mercury;
 - (c) Steps to facilitate the formalization or regulation of the small-scale gold mining sector;
 - (d) Baseline estimates of the quantities of mercury used and the practices employed in small-scale gold mining and processing within its territory;
 - (e) Strategies for promoting the reduction of emissions and releases of, and exposure to, mercury in small-scale gold mining and processing, including mercury-free methods;
 - (f) Strategies for managing trade and preventing the diversion of mercury and mercury compounds from both foreign and domestic sources to use in small scale gold mining and processing;
 - (g) Strategies for involving stakeholders in the implementation and continuing development of the national action plan;
 - (h) A public health strategy on the exposure of small-scale gold miners and their communities to mercury. Such strategy shall include, inter alia, the gathering of health data, training for health-care workers and awareness-raising through health facilities;
 - (i) Strategies to prevent the exposure of vulnerable populations, particularly children and women of child-bearing age, especially pregnant women, to mercury used in small-scale gold mining;

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

- (j) Strategies for providing information to small-scale gold miners and affected communities; and
- (k) A schedule for the implementation of the national action plan.

Environmental Management (Control And Management Of Mercury And Mercury Compounds)

GN NO. 59 (contd)

2. The national action plan may include additional strategies to achieve its objectives, including the use or introduction of standards for mercury-free small-scale gold mining and market-based mechanisms or marketing tools.

Dodoma,
....., 2020

GEORGE B. SIMBACHAWENE
*Minister of State, Vice-President's Office
Union Affairs and Environment*

*THE URBAN PLANNING (MSIMBAZI SPECIAL PLANNING AREA) Urban
Planning (Msimbazi Speci GN NO. 60 (contd.)*

GOVERNMENT NOTICE NO. 60 published on 31/1/2020

THE URBAN PLANNING ACT,
(CAP. 355)

ORDER

(Made under section 24(1))

THE URBAN PLANNING (MSIMBAZI SPECIAL PLANNING AREA) ORDER, 2019

- | | |
|--|---|
| Citation | 1. This Order may be cited as the Urban Planning (Msimbazi Special Planning Area) Order, 2020. |
| Declaration of
Special Planning
Area
Cap. 355 | 2. The area prescribed in the Schedule is hereby declared to be a special planning area for the purposes of the Urban Planning Act. |
| Scheme of
scheduled area | 3. Detailed schemes for the scheduled area shall be prepared and deposited with the Director of Urban Planning, Director of Dar es salaam City Council, Director of Ilala Municipal Council, Director of Kinondoni Municipal Council and District Executive Director of Kisarawe District Council as the case may be. |

SCHEDULE

(Made under paragraph 2)

Description of Boundaries of Msimbazi Special Planning Area:
"Commencing at Salender Bridge along Ali Hasan Mwinyi road to Mkunguni 'B' Subward, thence heading Southwest to Mkunguni 'A' Subward, thence heading South to Hananasif in Hananasif Ward, thence heading Northwest to Mwinjuma Subward in Mwananyamala Ward, thence heading West to Mchangani and Mbuyuni Subwards in Makumbusho Ward, thence heading to West to Mhalitani and Chakula Bora Subwards in Tandale Ward, thence Westward to

*THE URBAN PLANNING (MSIMBAZI SPECIAL PLANNING AREA) Urban
Planning (Msimbazi Speci GN NO. 60 (contd.)*

Msewe, NHC, and Kibo Subwards in Ubungo Ward, thence Eastwards to Mlimani and Uzuri Subwards in Manzase Ward, thence Eastwards to Muhalitani and Kwa Tumbo Subwards in Tandale Ward, thence Northeast to Mikoroshoni, Makanya and Vigaeni Subwards in Ndugumbi Ward, thence Eastwards to Makuti 'B', Makuti 'A' and Idrisa in Magomeni Ward, thence Northeast to Dosi, Idrisa and Mwinyimkuu Subwards in Mzimuni Ward, thence Dosi Southwards a distance of 5870.5m to point MV 399 (9364265.951/ 171491.819) at the Hill, thence Southwards a distance of 11473.4m to point MV 398 (9356075.469 / 165992.543) at the summit of Nyami Hill, thence to point MV 458 (9354326.998 / 174272.103) at the top of Mugati Hill" back to the commencement point.

The geographical description of MSIMBAZI SPECIAL PLANNING AREA is described in the Town Planning drawing No. DCC/BRT/02/32019 - Msimbazi Special Planning Area.

Dodoma,
20th December, 2019

AMULIKE A. MAHENGE
Director of Urban Planning

GOVERNMENT NOTICE NO. 61 published on. 31/1/2020.

THE URBAN PLANNING ACT,
(CAP. 355)

ORDER

(Made under section 8(1))

THE URBAN PLANNING (KANAZI-BUJUNANGOMA PLANNING AREA)
ORDER, 2020

Citation

1. This Order may be cited as the Urban Planning
(Kanazi-Bujunangoma Planning Area) Order, 2020.

Declaration of
Planning Area
Cap. 355

2. The area prescribed in the Schedule to this Order is
hereby declared to be a planning area for the purposes of the
Urban Planning Act.

Scheme of
scheduled area

3. General and Detailed schemes for the scheduled
area shall be prepared and deposited with the Director of
Urban and Rural Planning and Bukoba District Executive
Director.

SCHEDULE

The new planning area is contained in the following boundaries:
“Commencing at the junction of Katerero- Bujugo road and Bukoba – Izimbya road at
a point with UTM coordinates 358742,9841363 taking the northern direction to a
distance of 0.5 kilometers where it meets Byazi river at a point with UTM coordinates
358550,9841926, then it takes the western direction to a distance of 1.17 kilometers
following Byazi river passing through UTM coordinates 357655,9840979, continues to
a distance of 1.3 kilometers to a point with UTM coordinates 357346,9840939, then it
goes to that direction following the river to a distance of 0.2 kilometers at a point with
UTM coordinates 357134,9841007, it continues to a distance of 0.9 kilometers up to
Kishala wetland at a point with UTM coordinates 356217,9841075, from there it takes
the southern direction passing through Ilanumi hills to a distance of 2.5 kilometers
where it meets Bukoba - Izimbya road at a point with UTM coordinates
356786,9838482, from there takes the eastern direction along Bukoba - Izimbya road
to a distance of 2.9 kilometers up to the junction of Bukoba - Izimbya road and

Urban Planning (Kanazi-Bujunangoma Planning Area)

GN No. 61 (contd.)

Bukoba- Kanazi- Muleba road at a point with UTM coordinates 359567,9838391, from that junction it takes the northern direction along Bukoba – Izimbya road to a distance of 3.12

Kilometers where it meets the junction of Bukoba – Izimbya road and Katerero – Bujugo road at a point with UTM coordinates 358742,9841363 ” back to the commencing point.

The area is described in TP. DRG. NO 17/BKB(V)/02/112018.

Dodoma,
21st December, 2019

WILLIAM V. LUKUVI
*Minister for Lands, Housing and
Human Settlements Development*

GOVERNMENT NOTICE NO. 62 published on 31/1/2020

THE INTERPRETATION OF LAWS ACT
(CAP. 1)

ORDER

(Made under Section 26(3))

THE SUBSIDIARY LEGISLATION(MISCELLANEOUS RECTIFICATION OF PRINTING
ERRORS) ORDER, 2020

Citation

1. This Order may be cited as the Subsidiary
Legislation(Miscellaneous Rectification of Printing Errors)
Order, 2020.

Rectification of
Printing Errors of
various
Subsidiary
Legislation

2. The printing errors of various Subsidiary
Legislation are hereby rectified in the manner set out in the
Schedule to this Order.

SCHEDULE

(Made under order 2)

The Mining (Mirerani
Controlled Areas)
Regulations
GN. No.
135 of 2019

1. The printing errors appearing in the Mining
(Mirerani Controlled Areas) Regulations are hereby
rectified by deleting the enabling section which read as
“section 112” and substituting for it “section 129”.

The Laws Revision
(Replacement of Texts
of Laws in the Revised
Edition,2002) Notice
GN. No.
550 of 2019

2. The Printing Errors appearing under the Laws
Revision (Replacement of Texts of Laws in the Revised
Edition,2002) Notice, are hereby rectified as follows:
(a) by deleting the year of publication "2018"
and substituting for it the year "2019".

Subsidiary Legislation(Miscellaneous Rectification Of Printing Errors)

GN No. 62 (contd.)

- (b) by deleting the title "THE PETROLEUM ACT (CAP. 392) and substituting for it the title "THE LAWS REVISION ACT (CAP. 4)"
- (c) by deleting the name and title "NZINYANGWA E.MCHANY Director General" and substituting for it the name and title "ADELARDUS L.KILANGI Attorney General "

The Petroleum (Cost
Recovery Accounting)
Regulations. GN No.
957 of 2019

3. The Printing Errors appearing under the Petroleum (Cost Recovery Accounting) Regulations are hereby rectified as follows:

- (a) in the arrangement of Regulations is hereby rectified by deleting the heading "PART IV GENERAL PROVISIONS" appearing after regulations 31;
- (b) by inserting the heading "PART IV GENERAL PROVISIONS" immediately after regulation 41;
- (c) by deleting the phrase "advisory committee" appearing under regulations 32, 33, 36, 37 and 39 and substituting for them the phrase "work plan and budget approval";
- (d) redesignating the contents of regulation 35 as sub regulation (1).

Dodoma,
28th January, 2020

ONORIUS J. NJOLE
Chief Parliamentary Draftsman

Executive Agencies (Tanzania Public Service College) and (Tanzania Global Learning Agency) (Disestablishment)

GOVERNMENT NOTICE NO. 63 Published On 31/1/2020

THE EXECUTIVE AGENCIES ACT,
(CAP. 245)

ORDER

(Made under section 3)

THE EXECUTIVE AGENCIES (TANZANIA PUBLIC SERVICE COLLEGE) AND (TANZANIA GLOBAL LEARNING AGENCY) (DISESTABLISHMENT) ORDER, 2020

- | | |
|------------------------------------|--|
| Citation | 1. This Order may be cited as the Executive Agencies (Tanzania Public Service College) and (Tanzania Global Learning Agency) (Disestablishment) Order, 2020. |
| Interpretation | 2. In this Order , unless the context otherwise requires: |
| GN. No. 473 of 2000 | “TPSC” means the Tanzania Public Service College established under the Executive Agencies (TPSC) (Establishment) Order, 2000; |
| GN. No. 445 of 2000 | “TaGLA” means the Tanzania Global Learning Agency established under the Executive Agencies (TaGLA) (Establishment) Order, 2011; |
| | “Newly established TPSC” means TPSC upon merging Tanzania Public Service College and Tanzania Global Learning Agency. |
| Disestablishment of TPSC and TaGLA | 3.-(1) TPSC and TaGLA are hereby disestablished.
(2) Consequent upon disestablishment of TPSC and TaGLA, the Ministerial Advisory Board of the TPSC and TaGLA are disestablished. |
| Transfer of functions and powers | 4.-(1) All functions performed by TPSC and TaGLA are hereby reverted and shall be performed by the newly TPSC.
(2) All powers vested in TPSC and TaGLA in relation to Public Service trainings, applied research, consultancy services and innovative learning and technology platforms.
(3) Notwithstanding the provisions of sub-paragraph |

Executive Agencies (Tanzania Public Service College) and (Tanzania Global Learning Agency) (Disestablishment)

GN No 63 (contd)

(1), all acts or transactions conducted or intended to be collected prior to the date of publications of this Order, shall be valid and remain in force as if such acts or transactions were conducted by TPSC and TaGLA.

Transfer of
properties, assets
and liabilities

5.-(1) All properties and assets in form of movable and immovable and any interests therein shall be transferred to the newly TPSC.

(2) All liabilities subsisting or arising from any act or omission by TPSC and TaGLA are transferred to the newly TPSC.

(3) For the purpose of subparagraph (2), any suit or charge subsisting or pending in any court of law or tribunal and any charge instituted by or on behalf of TaGLA, shall be substituted in the name of TPSC and any damages or reliefs or any penalty arising thereby shall be payable to, or paid by or imposed on TPSC, consequent upon the disestablishment of TaGLA.

Transfer of officers
and employees

6.-(1) Consequent upon disestablishment of TPSC and TaGLA, all officers and employees of TPSC and TaGLA shall, from the date of publication of this Order be deemed to have been transferred to the newly TPSC.

(2) For the purpose of sub-paragraph (1,) the President's Office Public Service Management and Good Governance may allocate officers and employees transferred to TPSC and any officer or employee who may not be required or whose career cadre is not required subsequent to such transfer may be allocated to any other public office as it deems fit.

Pension and
terminal benefits

7.-(1) Pension and terminal benefits payable to any officer or any other employee transferred to TPSC or other public office shall continue to be paid by respective schemes to which each officer or employee was a member or beneficiary and Government contributions to such pension or terminal benefits schemes in respect of such officer or employee shall continue.

(2) For the purpose of sub-paragraph (1), the period during which an officer or employee served with TPSC and TaGLA shall be deemed as the period added to the period which the officer or employee served with newly TPSC or such other public office for the purpose of determining a period of reckonable service required by the laws governing

Executive Agencies (Tanzania Public Service College) and (Tanzania Global Learning Agency) (Disestablishment)

GN No 63 (contd)

pension or terminal scheme to which such officer or employee is a member or beneficiary.

Revocation
GN. No. 473 and
445

8. The Executive Agency (TPSC) (Establishment) Order, 2000, and (TaGLA) (Establishment) Order, 2011 are hereby revoked.

Dodoma,
....., 2019

GEORGE H. MKUCHIKA
*Minister of State, President's Office,
Public Service Management and
Good Governance*

GOVERNMENT NOTICE NO. 64 Published On 31/1/2020

THE EXECUTIVE AGENCIES ACT,
(CAP.245)

;ORDER

(Made under section 3)

THE EXECUTIVE AGENCIES (TANZANIA PUBLIC SERVICE COLLEGE)
(ESTABLISHMENT) ORDER, 2020

Citation

1. This Order may be cited as the Executive Agencies
(Tanzania Public Service College) Establishment Order, 2020.

Establishment of
Agency

2.-(1) There is hereby established an Executive Agency known as the Tanzania Public Service College, in its acronym "TPSC" to take over the functions of the former TPSC and Tanzania Global Learning Agency.

(2) The established Agency shall perform Public Service trainings, applied research, consultancy services and innovative learning and technology platforms.

TPSC framework
document

3. The governance, responsibilities, powers, accountability and other matters relating to TPSC shall be as specified in the framework document set out in the Schedule to this Order.

SCHEDULE

(Made under paragraph 3)

TANZANIA PUBLIC SERVICE COLLEGE

FRAMEWORK DOCUMENT

THE UNITED REPUBLIC OF TANZANIA

PRESIDENT'S OFFICE PUBLIC SERVICES MANAGEMENT AND GOOD
GOVERNANCE

DODOMA
NOVEMBER, 2019

Table of Contents

List of Abbreviations	5
INTERPRETATION	7
1.0 INTRODUCTION	8
2.0 LEGAL STATUS AND GOVERNANCE	8
2.1 Legal Status	8
2.2 Governance	9
3.0 AIM, VISION, MISSION, ROLES, FUNCTIONS, OBJECTIVES AND OUTPUTS	9
3.1 Aim	9
3.2 Vision Statement	9
3.3 Mission Statement	9
3.4 Roles and Functions	9
3.5 Objectives	10

Executive Agencies (Tanzania Public Service College) (Establishment)

GN No. 64 (contd)

3.6	Outputs	11
4.0	PERFORMANCE CRITERIA	11
5.0	ROLES, RESPONSIBILITIES AND ACCOUNTABILITY	11
5.1	The Minister	12
5.2	The Permanent Secretary	12
5.3	The Ministerial Advisory Board	12
5.4	The Chief Executive	13
6.0	POWERS OF THE CHIEF EXECUTIVE	14
6.1	Human Resources Management	14
6.2	Financial and Related Matters	14
6.3	Public Accounts Committee and Public Inquiries	14
7.0	FINANCE, PLANNING AND STRATEGIC CONTROL	14
7.1	Funding, Expenditures and Accounting	14
7.2	Strategic Plan	15
7.3	Business Plan	15
7.4	Performance Agreement	15
7.5	Procurement Procedures	15
7.6	TPSC Tender Board	15
7.7	Reports and Accounts	15
7.8	Internal Audit	16
7.9	External Audit	16
8.0	HUMAN RESOURCES	16

Executive Agencies (Tanzania Public Service College) (Establishment)

GN No. 64 (contd)

8.1	Status and Conditions of Service.....	16
8.2	Human Resources Management	16
8.3	Staff Relations	17
8.4	Health and Safety.....	17
9.0	AMENDMENT, REVIEW AND PUBLICATION	17
9.1	Amendment and Review	17
9.2	Publication.....	17

Executive Agencies (Tanzania Public Service College) (Establishment)

GN No. 64 (contd)

List of Abbreviations

CAG	-	Controller and Auditor General
HIV/AIDS	-	Human Immuno Virus – Acquired Immuno Deficiency Syndrome
MAB	-	Ministerial Advisory Board
PAC	-	Public Accounts Committee
POPSMGG	-	President’s Office, Public Service Management and Good Governance
TaGLA	-	Tanzania Global Learning Agency
TPSC	-	Tanzania Public Service College

FOREWORD

The Government has made a decision of merging the functions of Tanzania Public Service College (TPSC) and Tanzania Global Learning Agency (TaGLA) hence, bears the name of the newly established agency known as Tanzania Public Service College. This initiative has been taken by the President's Office, Public Service Management and Good Governance (POPSMGG) in order to widen the scope of operation and enhance organizational efficiency and effectiveness.

The motive for merging former TPSC and TaGLA has been driven by the need to strengthen the capacity building initiatives within the public service and private sector through the use of innovative and appropriate training programs, applied research, consultancy services and application of technologies. It is imperative that the Government establishes an Agency that will enhance the public service capacity, systems, skills and culture for continuous improvement of public service performance.

The establishment of TPSC is an important milestone towards assisting the development of skills, knowledge and attitudes of public servants to enable them to perform their functions more productively efficiently and responsively. This will be achieved through training interventions, consulting, applied research, innovative and application of appropriate technologies for improved public service delivery. Moreover, the Agency will contribute towards the achievement of the Vision 2025 and other National Medium and Long Term Plans.

As an Agency, TPSC has required Operational Autonomy to respond more appropriately, to the Training and Development needs of the public services as and when they occur. With the Autonomy as specified in the Executives Agency Act, Cap. 245, I am confident that with this Framework Document TPSC will excel and meet the set objectives in addressing the challenges faced while improving public service delivery. It is with great pleasure that I take this opportunity to wish success to the Chief Executive, Agency Management and staff in fulfilling their obligations.

INTERPRETATION

In this framework document, unless the context otherwise requires:

"Accounting Officer" means the Principal and Chief Executive of Tanzania Public Service College;

"Agency" means the Tanzania Public Service College;

"Applied Research" means problem solving oriented researches;

"Chief Executive" means the Principal and Chief Executive of Tanzania Public Service College

"Core functions" means trainings, applied researches, consultancies and innovative learning and technology platforms;

"Innovative Learning and Technology Platforms" means knowledge sharing through technology, for instance video conferences, online dialogues and multimedia applications;

"Ministerial Advisory Board" Means an Advisory Board Constituted under section 6 of the Executive Agency Act, Cap. 245;

"Minister" means the Minister responsible for Public Service Management;

"Ministry" means the Office responsible for Public Service Management;

"Performance Agreement" means performance contract between Chief Executive and Permanent Secretary;

"Permanent Secretary" means the Permanent Secretary of the Ministry responsible for Public Service Management;

"Staff" means an employee or employees of Tanzania Public Service College.

1.0 INTRODUCTION

The Government of Tanzania recognizes human capital development as a significant resource and main driver for social-economical development. The strategic focus of the Government is to address the institutional and human capital development in order to attain efficiency and effectiveness in delivery of public services. In line to this strategic direction, the Government has decided to merge the two Executive Agencies namely the Tanzania Public Service College (TPSC) and Tanzania Global Learning Agency (TaGLA). Despite merging of the two Agencies, Tanzania Public Service College (TPSC) bears the name of the newly established Agency. This Agency is established under the Executive Agency's Act Cap. 245.

The merging of the two Agencies complements capacity building initiatives within the public service and private sector through the use of innovative and appropriate training programs, applied research, consultancy services and application of technologies. As such, the agency plays a pivotal role in providing access for continuous learning and development, knowledge acquisition and skills development that will position Tanzanians competitively in the regional and global market.

This framework document has been developed after the merging of two Agencies and it describes the institutional framework under which TPSC is established and operates as semi autonomous Executive Agency under the Ministry responsible for Public Service Management. The document sets out the responsibilities, powers and accountabilities of key players involved in the Management of the Agency. This document may be reviewed from time to time as need arises.

2.0 LEGAL STATUS AND GOVERNANCE

The Legal status and Governance for TPSC are as follows:

2.1 Legal Status

Tanzania Public Service College (TPSC) is established under section 3(1) of the Executive Agency Act Cap. 245, as a Legal body that may under section 3(6) of the Act;

- a. Enter into contract in its own name;
- b. Sue or be sued;
- c. Upon approval of the Permanent Secretary of the Ministry and upon such terms and condition as he may specify either generally or in any particular case, acquire, hold or dispose of movable and immovable property pursuant to the Public Procurement Act Cap. 410, and Public Procurement Regulations, 2013 as amended from time to time; and

Executive Agencies (Tanzania Public Service College) (Establishment)

GN No. 64 (contd)

- d. Do all other things that are necessary or desirable for efficient and discharge of its functions.

TPSC shall come into operation on the date of publication of its Establishment Order in the *Government Gazette*. The Agency takes over the functions of former Tanzania Public Service College (TPSC) and Tanzania Global Learning Agency (TaGLA) as expressed in this Framework Document.

2.2 Governance

The Chief Executive, appointed by the Minister responsible for public service management in consultation with the President's Office, Recruitment Secretariat, shall hold the office for a term not exceeding five years or for such shorter period as may be specified in the instrument of appointment and shall be eligible for re-appointment based on performance. The Chief Executive is responsible for management of Tanzania Public Service College and shall be directly answerable to the Permanent Secretary. The Permanent Secretary will oversee the interests of the Ministry and the Government in general. There shall be a Ministerial Advisory Board (MAB) appointed by the Minister in accordance to the Executive Agency Act Cap. 245 to advise on matters pertaining to efficient and effective performance of the Agency.

3.0 AIM, VISION, MISSION, ROLES, FUNCTIONS, OBJECTIVES AND OUTPUTS

The aim, roles and functions of the Agency shall be as follows:

3.1 Aim

The aim of the Agency is to enhance the public service capacity, systems, skills and culture for continuous improved public service performance.

3.2 Vision Statement

To be a global centre of excellence in competency development, knowledge sharing, applied research and consultancy for effective public service.

3.3 Mission Statement

To improve public service delivery through training, applied research, consultancy and technology-based knowledge sharing platforms.

3.4 Roles and Functions

The roles and functions of the Agency are to:

- (i) offer statutory and voluntary training for all public servants;
- (ii) offering public servants' access to training through the use of technology-based training facilities and programmes;
- (iii) conduct and coordinate public service examinations and public service proficiency Programmes to enhance public service delivery;
- (iv) develop skills, knowledge and awareness in management, leadership, administration and office support;
- (v) offer advisory or consultancy services;
- (vi) provide training and platforms for knowledge sharing that meet the public service requirement and other beneficiaries;
- (vii) disseminate knowledge on public service management best practice through applied research and publication of research findings;
- (viii) harness global expertise in a variety of disciplines through linkages to development networks, best faculties and skills available in the world;
- (ix) enable target beneficiaries to learn in friendly environment with less costs, less work disruptions, travel and social disconnection;
- (x) promote Government policies, learning culture and supporting technological use among a wide range of actors for enhancement of development in Tanzania;
- (xi) award bachelor degrees, diplomas and certificates to qualified graduates of a few professional programmes; and
- (xii) foster strategic alliances and partnership with public and private training and development institutions and individuals to strengthen and deliver public service learning.

3.5 Objectives

The Agency will implement six objectives in the next five years (that is from 2019/20 to 2023/24) as follows:

- (i) HIV&AIDS infections and Non-Communicable Diseases reduced and supportive services improved;
- (ii) National Anti-Corruption Strategy implementation enhanced and sustained;
- (iii) quality customer services (training, consultancy and applied research) to the public accessed and improved;
- (iv) innovative learning and development programmes for capacity building of public servants improved;
- (v) operational policies, systems, structures, staff core competencies and processes enhanced; and
- (vi) financial sustainability enhanced.

3.6 Outputs

The developed objectives have its set of outputs upon which, when effectively implemented will result to the achievement of the core functions of the Agency that will improve public service delivery.

4.0 PERFORMANCE CRITERIA

The Ministry responsible for Public Service Management, shall monitor TPSC' performance each year based on the annual plans and financial audits. The Agency shall prepare annual Business Plan which will set out performance targets and those targets will form part of performance agreements. The performance criteria shall be based on the quality of service provided, financial performance and operational efficiency.

(i) Quality of Services Provided.

The Agency will provide high quality services in achieving its objectives. The quality of services shall comply to the agreed standards, best practices, specifications and customer needs.

(ii) Financial Performance

For accountability purposes, the Agency will develop or adopt systems that comply with the best financial management practices. There will be timely preparation and submission of accurate financial reports and sound trend of Agency's financial position.

(iii) Operational Efficiency.

The Agency will develop planning and management tools for public service trainings, consultancies, applied researches and innovative learning and technology platforms. There will be compliance to the specified standards and use of transparent internal processes and procedures in the service delivery.

5.0 ROLES, RESPONSIBILITIES AND ACCOUNTABILITY

The following are the responsibilities of various key players:

5.1 The Minister

The Minister is responsible for determining and maintaining the policy framework for the Agency, general direction and functional boundaries within which TPSC operates. Specifically, the Minister is responsible for:

- (a) establishing/re-establishing the Agency;
- (b) ensuring that the Government and the public derive maximum benefit from the creation of the Agency;
- (c) appointing the Chief Executive of the Agency; and
- (d) appointing members of the Ministerial Advisory Board (MAB).

Furthermore, the Minister shall meet the Management of TPSC in person at least once in a year to discuss the Agency's strategies, its performance and how risks can best be managed. The Minister shall also work to safeguard the interest of TPSC to ensure its maximum contribution to the national economic growth and keep the Agency aware of high-level Government strategic directions.

5.2 The Permanent Secretary

The Permanent Secretary, as the Accounting Officer of the Ministry, is responsible for voted funds disbursed to the Agency and the principal policy adviser to the Minister on matters related to TPSC. The Permanent Secretary, in discharging his duties, shall at all-time uphold the autonomy of the Agency in the day to day management of its affairs and also respect the delegation of powers in respect of financial accountability as delegated to the Chief Executive and the MAB.

The Permanent Secretary shall be responsible for approving TPSC Strategic Plans, Business Plans and its annual budget. The Permanent Secretary shall mobilize and coordinate funding for functions of TPSC and advise on the overall financial resources to be made available to the Agency. The Permanent Secretary shall enter into performance contract with the Chief Executive and shall meet the Management of the Agency in person at least twice a year to discuss TPSC's plans, its performance and how risks can best be managed.

5.3 The Ministerial Advisory Board

The Board responsibilities shall be to:

- (a) advise the Minister on the performance of TPSC;
- (b) approve Agency Plans and Budgets;
- (c) monitor TPSC performance;
- (d) advise on the implementation of core functions of the Agency;
- (e) approve Examination results;
- (f) advise on the development and maintenance of a strategic framework;
- (g) set priorities and annual performance targets for TPSC;
- (h) consider TPSC annual reports and accounts; and
- (i) evaluate TPSC performance.

5.4 The Chief Executive

The Chief Executive is responsible for managing the Agency within the terms of this Framework Document and the Executive Agency Act, Cap. 245. He shall be the Agency's Accounting Officer responsible for day-to-day operations and accountable to the Permanent Secretary. Specifically, the Chief Executive is responsible for:

- (i) preparation and submission of Strategic Plans, Business Plans and associated budgets to the Permanent Secretary for approval;
- (ii) implementation of the approved plans, including the achievement of performance targets;
- (iii) concluding procurement contracts in accordance with Public Procurement Act, Cap. 410 and its Regulations;
- (iv) organization and management of assets and resources allocated to him in an efficient and cost effective manner;
- (v) human resources management, organization, control and discipline of the Agency's employees;
- (vi) managing the procurement and control of supplies for the Agency;
- (vii) ensuring that all aspects of the management and organization are kept under review and that they enable best possible performance of the Agency;
- (viii) providing performance report to the Ministry and other relevant Authorities;
- (ix) preparation of Annual Reports and Audited Financial Statement for submission to the relevant authorities;
- (x) ensuring that all aspects of the management and organization are kept under review and that they enable best possible performance of the Agency;
- (xi) liaison with Regulatory Authorities and other stakeholders in respect of compliance on implementation of matters affecting TPSC; and
- (xii) contributing to the development and formulation of public service training policy and ensuring that TPSC is in the position to implement changes expeditiously and efficiently.

6.0 POWERS OF THE CHIEF EXECUTIVE

6.1 Human Resources Management

The powers of the Chief Executive in relation to human resources and related matters are prescribed in the Executive Agencies Act, Cap. 245, the Public Service Act, Cap. 298 and their respective regulations.

6.2 Financial and Related Matters

The powers of the Chief Executive in relation to financial and related matters are prescribed in the Executive Agencies Act, Cap. 245, the Public Finance Act, Cap.348 and other relevant legislation. The Chief Executive may, in writing, delegate any powers given to him to an employee of TPSC, but is not thereby relieved of a duty or responsibility to him in terms of this Framework Document or any other legislation.

6.3 Public Accounts Committee and Public Inquiries

The Chief Executive may be required to appear before the Public Accounts Committee (PAC) to represent the Agency at hearing related to the Agency. The Chief Executive may also be required to prepare the response to the Parliamentary questions and inquiries that fall under the responsibility of the Agency.

7.0 FINANCE, PLANNING AND STRATEGIC CONTROL

7.1 Funding, Expenditures and Accounting

The source of funds of TPSC shall include:

- (i) the sums as may be appropriated by Parliament;
- (ii) training and Consultancy fees;
- (iii) grants, donations, loans, and funds as may be received from development partners;
- (iv) hostel fees;
- (v) fees on utilization of TPSC facilities; and
- (vi) any other sources legally acquired.

TPSC expenditures shall be in accordance with the Business plan approved by the Permanent Secretary and shall be accounted for in such a manner that it shall be possible to link all expenditure to the sources of funding and for which purposes the money has been spent. The Chief Executive shall therefore ensure that the

Agency's Financial Management System meets these requirements. The Chief Executive shall prepare and submit periodic reports to the relevant authorities.

7.2 Strategic Plan

The Chief Executive shall prepare a Strategic Plan covering a period of five (5) years, which will be updated whenever need arises that affect the Agency's performance. The purpose of the Strategic Plan is to state the objectives of TPSC over the next five years, outlining the actions to be taken by the Agency in improving public service delivery.

7.3 Business Plan

The Chief Executive shall prepare and submit a Business Plan that includes the estimates of the income and expenditure for the next year to the Permanent Secretary for his approval. He may, at any time before the end of a financial year, prepare and submit to the Permanent Secretary for approval any estimates supplementary to estimates of a current year. The Business Plan shall give details of operations based on the approved Strategic Plan and the annual resource allocations. The Business Plan will include the planning of activities to achieve TPSCs' output together with matching resources calculations.

7.4 Performance Agreement

The Chief Executive shall enter into Performance Agreements with the Permanent Secretary at the commencement of each financial year.

7.5 Procurement Procedures

Procurement procedure of works, goods and services shall be in accordance with Public Procurement Act, Cap. 410 and its Regulations.

7.6 TPSC Tender Board

TPSC shall have its own Tender Board. The composition of the Tender Board shall be as provided for in Public Procurement Act, Cap. 410 and its Regulations.

7.7 Reports and Accounts

Within two months after the end of each financial year, the Chief Executive shall submit Annual Reports and audited statements of accounts to the Ministry. Subsequently the Annual Reports and statements of accounts will be published and made available to the public. The Annual Report shall contain:

- (a) a copy of the audited accounts of TPSC together with the auditor's comments and recommendations;
- (b) a report on performance against targets and other related information;
- (c) a report on operations of TPSC during that financial year; and
- (d) any other information that the Minister, Permanent Secretary and the MAB may require.

7.8 Internal Audit

The Chief Executive shall be responsible for ensuring that adequate arrangements exist for the provision of Internal Audit service that accords with the standards set by the Ministry responsible for finance and in accordance with the TPSC Accounting Manual.

7.9 External Audit

The audits of acquired funds shall be carried out by the Controller and Auditor General or such other person commissioned by him.

8.0 HUMAN RESOURCES

8.1 Status and Conditions of Service

TPSC's staff are public servants charged with the responsibilities for delivering public services more effectively and efficiently within the available resources. Their terms and conditions of service will be approved by the Ministry responsible for the Public Service in accordance with the Executive Agencies Act, Cap. 245 and the Public Service Act, Cap. 298. Remuneration levels will be set in accordance with policy guidance issued by the Ministry responsible for Public Service Management, and will take into account the need to attract and retain staff of the required caliber.

8.2 Human Resources Management

The Chief Executive is responsible for management of human resources as set out in this Framework Document. He is responsible for ensuring that an equal opportunity policy is implemented. Within these parameters he may introduce such changes as necessary to maximize the efficiency and effectiveness of the Agency. The Chief Executive shall be responsible for fostering positive attitudes towards responsibility, accountability and productivity. There must be effective channels of communication throughout the Organization and willingness to work as a team to achieve the Agency's objectives. The Chief Executive is obliged to set up human resources training programmes that improve the competences of the staff.

8.3 Staff Relations

The Chief Executive is responsible for staff relations within the Agency. He is required to foster good staff relations as an important aid to the achievement of the Agency's objectives, and ensure effective communication and consultation with staff and their recognized Trade Unions.

8.4 Health and Safety

The Chief Executive is responsible for the health and safety of TPSC's staff in the work place and for complying with all relevant principal and subsidiary legislation.

9.0 AMENDMENT, REVIEW AND PUBLICATION

9.1 Amendment and Review

Any proposed amendment to this document shall be made by the Minister in consultation and advice from the Permanent Secretary and the Chief Executive. Any proposed changes shall be subject to the approval of the Ministry responsible for Public Service Management.

9.2 Publication

The Order re-establishing TPSC and any future amendments including Framework Document shall be published in the *Government Gazette*, uploaded in the Agency's website and will be readily available to anybody in accordance with the existing practices. Copies of the Framework Document and further information about the Agency can be obtained from:

Principal and Chief Executive,
Tanzania Public Service College,
P.O. Box 2574,
Dar es Salaam.

Tel. +255 22 2152982
Fax: +255 22 2152933
E-mail: tpsc@tpsc.go.tz
Web site: www.tpsc.go.tz

Dodoma,
....., 2019

GEORGE H. MKUCHIKA
*Minister of State, President's Office, Public
Service Management and Good Governance*

GOVERNMENT NOTICE NO.65.published on 31/1/2020

THE ENERGY AND WATER UTILITIES REGULATORY AUTHORITY ACT
(CAP. 414)

NOTICE

(Made under section 19 (4))

THE ENERGY AND WATER UTILITIES REGULATORY AUTHORITY (THE INQUIRY ON
VERY SMALL POWER PRODUCER (VSPP) TARIFF REVIEW BY JUMEME RURAL POWER
SUPPLY NOTICE, 2020

Citation

1. This Notice may be cited as the Energy and Water Utilities Regulatory Authority (The Inquiry on VSPP Tariff Review Application by Jumeme Rural Power Supply (“Jumeme”) Notice, 2020.

Interpretation

2. In this Notes unless the context otherwise requires:
“Authority” means the Energy and Water Utilities Regulatory Authority established under the Act;
“Application for Tariff Adjustment” means an application to adjust electricity tariffs as specified in the Schedule of this notice;
“inquiry” means the entire process of receiving comments from stakeholders with regard to the proposed tariff adjustment as summarised in the Schedule;
“Very Small Power Producer” or in its acronym “VSPP” means an electricity generator with an installed capacity of:
(a) less than 15kW at a single site selling power to at least thirty retail customers; or
(b) between 15kW and 100kW at a single site that either sells power at wholesale to a Distribution

*Energy and Water Utilities Regulatory Authority (The Inquiry on Very Small Power
Producer (Vssp) Tariff Review by Jumeme Rural Power Supply*

GN No. 65 (contd.)

Network Operators or at retail directly to a customer;

Purpose of the Inquiry

3. The purpose of the inquiry is to enable the Authority to collect views on the proposed tariff review for electricity service for three years from January 2020.

Requested Tariff Increase

4. Jumeme tariff proposal is presented in the Schedule to this Notice.

How to Participate in the Inquiry

5. Anyone who wishes to participate in the inquiry may do so by submitting his written views pertinent to the inquiry to the Director General at the address specified in paragraph 9 of this Notice *within fourteen days after the publication of this Notice.*

Intervention

6. Any person who wishes to intervene in these matters may submit in writing the intention to intervene within seven days from the date of this public notice.

Copies of the Applications

7. Copies of the Application are available at the Authority's offices during working hours from 9.00am to 4.00pm for public knowledge and use. Further details may be obtained upon written request to the Director General at the address shown in paragraph 8 of this notice.

Address of the Authority

8. The address of the Authority shall be:
The Energy and Water Utilities Regulatory Authority
4th Floor, PSSSF House
Makole Road
P.O. Box 2857
Dodoma, Tanzania

*Energy and Water Utilities Regulatory Authority (The Inquiry on Very Small Power
Producer (Vssp) Tariff Review by Jumeme Rural Power Supply*

GN No. 65 (contd.)

SCHEDULE

Current and Proposed Tariff (TZS/kWh)

Customer Group	Tariff Structure	Unit	Current Tariffs	Proposed Tariffs
Residential	Daytime and Night time Tariff	TZS/kWh	2,966	2,966
Commercial	Daytime Tariff	TZS/kWh	2,119	2,119
	Night time Tariff	TZS/kWh	3,390	3,390
Productive use	Daytime Tariff	TZS/kWh	636	636
	Night time Tariff	TZS/kWh	1,271	1,271
	Access rate per week	TZS/Week	10,000	10,000

Dodoma,
.14th January,2020

NZINYANGWA E. MCHANY
Director General

*Energy and Water Utilities Regulatory Authority (The Inquiry on Very Small Power
Producer (Vssp) Tariff Review Application by Powergen Renewable Energy
Limited*

GOVERNMENT NOTICE NO. 66 published on 31/1/2020

THE ENERGY AND WATER UTILITIES REGULATORY AUTHORITY ACT
(CAP.414)

NOTICE

(Made under section 19(4))

THE ENERGY AND WATER UTILITIES REGULATORY AUTHORITY (THE INQUIRY ON
VERY SMALL POWER PRODUCER (VSPP) TARIFF REVIEW APPLICATION BY POWERGEN
RENEWABLE ENERGY LIMITED NOTICE, 2020

Citation

1. This Notice may be cited as the Energy and Water Utilities Regulatory Authority (The Inquiry on VSPP Tariff Review Application by PowerGen Renewable Energy Limited (“PowerGen”) Notice, 2020.

Interpretation

2. In this Notice unless the context otherwise requires:

“Authority” means the Energy and Water Utilities Regulatory Authority established under the Act;

“Application for Tariff Adjustment” means an application to adjust electricity tariffs specified under the Schedule to this Notice;

“inquiry” means the entire process of receiving comments from stakeholders with regard to the proposed tariff adjustment as summarised in the Schedule;

“Very Small Power Producer” or in its acronym “VSPP” means an electricity generator with an installed capacity of:

(a) less than 15kW at a single site selling power to at least thirty retail customers; or

*Energy and Water Utilities Regulatory Authority (The Inquiry on Very Small Power
Producer (Vssp) Tariff Review Application by Powergen Renewable Energy
Limited*

GN No 66 (contd.)

- (b) between 15kW and 100kW at a single site that either sells power at wholesale to a Distribution Network Operators or at retail directly to a customer;

Purpose of the Inquiry

3. The purpose of the inquiry is to enable the Authority to collect views on the proposed tariff review for electricity service applicable from January 2020.

Requested Tariff Increase

4. PowerGen tariff proposal is presented in the Schedule to this Notice.

How to Participate in the Inquiry

5. Anyone who wishes to participate in the inquiry may do so by submitting his written views pertinent to the inquiry to the Director General at the address specified in paragraph 8 of this Notice *within fourteen days after the publication of this Notice*.

Intervention

6. Any person who wishes to intervene in these matters may submit in writing the intention to intervene within seven days from the date of this public notice.

Copies of the Applications

7. Copies of the application are available at the Authority's offices during working hours from 9.00am to 4.00pm for public knowledge and use. Further details may be obtained upon written request to the Director General at the address shown in paragraph 9 of this Notice.

Address of the Authority

8. The address of the Authority shall be:
The Energy and Water Utilities Regulatory Authority
4th Floor, PSSSF House
Makole Road
P.O. Box 2857
Dodoma, Tanzania

*Energy and Water Utilities Regulatory Authority (The Inquiry on Very Small Power
Producer (Vssp) Tariff Review Application by Powergen Renewable Energy
Limited*

GN NO 66 (contd.)

SCHEDULE

Current and Proposed Tariff (TZS/kWh)

Customer Group	Consumption	Unit	Current Tariff (TZS/kWh)	Proposed Tariff (TZS/kWh)
Low Usage	0.01- 4	kWh	3,825	3,825
Medium Users	4.01 -8	kWh		
High Users	> 8	kWh		

Dodoma,
14th January,2020

NZINYANGWA E. MCHANY
Director General

Energy and Water Utilities Regulatory Authority (The Inquiry on Very Small Power Producer (Vspp) Tariff Review Application by Powercorner Tanzania Limited)

GOVERNMENT NOTICE NO.67..published on 31/1/2020

THE ENERGY AND WATER UTILITIES REGULATORY AUTHORITY ACT
(CAP. 414)

NOTICE

(Made under section 19 (4))

THE ENERGY AND WATER UTILITIES REGULATORY AUTHORITY (THE INQUIRY ON
VERY SMALL POWER PRODUCER (VSPP) TARIFF REVIEW APPLICATION BY
POWERCORNER TANZANIA LIMITED) NOTICE, 2020

Citation

1. This Notice may be cited as the Energy and Water Utilities Regulatory Authority (The Inquiry on VSPP Tariff Review Application by Power Corner Tanzania Limited (“Power Corner”) Notice, 2020.

Interpretation

2. In this Notice unless the context otherwise requires:
“Authority” means the Energy and Water Utilities Regulatory Authority established under the Act;
“Application for Tariff Adjustment” means an application to adjust electricity tariffs specified in Schedules to this Notice;
“Inquiry” means the entire process of receiving comments from stakeholders with regard to the proposed tariff adjustment as specified in the Schedules;
“Very Small Power Producer” or in its acronym “VSPP” means an electricity generator with an installed capacity of:
(a) less than 15kW at a single site selling power to at least thirty retail customers; or
(b) between 15kW and 100kW at a single site that either sells power at wholesale to a Distribution Network Operators or at retail directly to a customer;

Purpose of the Inquiry

3. The purpose of the inquiry is to enable the Authority to collect views on the proposed tariff review for electricity service applicable from January, 2020.

Requested Tariff

4. Power Corner tariff proposal is presented in the

**Energy and Water Utilities Regulatory Authority (The Inquiry on Very Small Power
Producer (Vspp) Tariff Review Application by Powercorner Tanzania Limited)**

GN No. 67 (contd.)

- | | |
|---|--|
| Increase | Schedule to this Notice. |
| How to
Participate in the
Inquiry | 5. Anyone who wishes to participate in the inquiry may do so by submitting his written views pertinent to the inquiry to the Director General at the address specified in paragraph 9 of this Notice <i>within fourteen days after the publication of this Notice.</i> |
| Intervention | 6. Any person who wishes to intervene in these matters may submit in writing the intention to intervene within seven days from the date of this public notice. |
| Copies of the
Applications | 7. Copies of the Applications are available at the Authority's offices during working hours from 9.00am to 4.00pm for public knowledge and use about these matters. Further details may be obtained upon written request to the Director General at the address shown in paragraph 8 of this notice. |
| Address of the
Authority | 8. The address of the Authority shall be:
The Energy and Water Utilities Regulatory Authority
4 th Floor, PSSSF House
Makole Road
P.O. Box 2857
Dodoma, Tanzania |

SCHEDULE

Table 1(a): Current and Proposed Tariff (TZS/kWh) for Ten Villages *

Customer Group	Load Limit (Watt)	Current Tariffs (TZS/kWh)	Proposed Tariffs (TZS/kWh)
Small Household Use	100	3,100	3,100
Medium Household Use	300	2,300	2,300
Large Commercial Activity	1,000	2,000	2,000
Productive	4,000	1,100	1,100

Energy and Water Utilities Regulatory Authority (The Inquiry on Very Small Power Producer (Vspp) Tariff Review Application by Powercorner Tanzania Limited)

GN No. 67 (contd.)

** Ten Villages are Kiegeina Matekwe (Nachingwea); Holola (Nanyumbu); Barikiwana Mbaya (Liwale); Kagerankanda (Kasulu); Kalya (Uvinza); Mgambo and Mwenge/Mkola (Sikonge); and Lukumbule (Tunduru).*

Table 1 (b): Current and Proposed Tariff for Kitumbeine (Longido) Village

Customer Group	Load Limit (Watt)	Current Tariffs (TZS/kWh)	Proposed Tariffs (TZS/kWh)
Small Household Use	100	2,000	2,000
Medium Household Use	300	1,500	1,500
Large Commercial Activity	1,000	1,250	1,250
Productive	4,000	750	750

Table 1 (c): Proposed Tariff for Nakopi (Nanyumbu) village

Customer Group	Load Limit (Watt)	Current Tariffs (TZS/kWh)	Proposed Tariffs (TZS/kWh)
Small Household Use	100	930	930
Medium Household Use	300	690	690
Large Commercial Activity	1,000	600	600
Productive	4,000	330	330

Dodoma,
14th January, 2020

NZINYANGWA E. MCHANY
Director General

Energy and Water Utilities Regulatory Authority (The Inquiry on Very Small Power Producer (VSPP) Tariff Review Application BYHUSK Power System

GOVERNMENT NOTICE NO. 68 published on 31/1/2020

THE ENERGY AND WATER UTILITIES REGULATORY AUTHORITY ACT
(CAP.414)

NOTICE

(Made under section 19 (4))

THE ENERGY AND WATER UTILITIES REGULATORY AUTHORITY (THE INQUIRY ON
VERY SMALL POWER PRODUCER (VSPP) TARIFF REVIEW APPLICATION BYHUSK
POWER SYSTEM NOTICE, 2020

Citation

1. This Notice may be cited as the Energy and Water Utilities Regulatory Authority (The Inquiry on VSPP Tariff Review Application by Husk Power Systems Limited (“Husk”) Notice, 2020.

Interpretation

2. In this Notice unless the context otherwise requires:

“Authority” means the Energy and Water Utilities Regulatory Authority established under the Act;

“Application for Tariff Adjustment” means an application to adjust electricity tariffs as specified in Schedule to this Notice;

“Inquiry” means the entire process of receiving comments from stakeholders with regard to the proposed tariff adjustment as specified in the Schedule;

“Very Small Power Producer” or in its acronym “VSPP” means an electricity generator with an installed capacity of:

- (a) less than 15kW at a single site selling power to at least thirty retail customers; or
- (b) between 15kW and 100kW at a single site that either sells power at wholesale to a Distribution Network Operators or at retail directly to a customer;

Purpose of the
Inquiry

3. The purpose of the inquiry is to enable the Authority to collect views on the proposed tariff review for electricity service applicable from January, 2020.

*Energy and Water Utilities Regulatory Authority (The Inquiry on Very Small Power
Producer (VSPP) Tariff Review Application BYHUSK Power System*

GN No. 68 (contd.)

Requested Tariff
Increase

4. Husk tariff proposal is presented in the Schedule of this Notice.

How to Participate
in the Inquiry

5. Anyone who wishes to participate in the inquiry may do so by submitting his written views pertinent to the inquiry to the Director General at the address specified in Paragraph 9 of this Notice *within fourteen days after the publication of this Notice.*

Intervention

6. Any person who wishes to intervene in this matter may submit in writing the intention to intervene within seven days from the date of this public notice.

Copies of the
Applications

7. Copies of the application are available at the Authority's offices during working hours from 9.00am to 4.00pm for public knowledge and use. Further details may be obtained upon written request to the Director General at the address shown in paragraph 8 of this notice.

Address of the
Authority

8. The address of the Authority shall be:
The Energy and Water Utilities Regulatory Authority
4th Floor, PSSSF House
Makole Road
P.O. Box 2857
Dodoma, Tanzania

SCHEDULE

Current and Proposed Tariff (TZS/kWh)

Customer Group	Load Limit (Watt)	Current Tariffs (TZS/kWh)	Proposed Tariffs (TZS/kWh)	Changes with regards to time of Use Pricing
Residential	1,000	2,635	2,635	83% - 133%
Institution	1,500	3,100	3,100	83% - 133%
Commercial(Small)	1,000	2,720	2,720	83% - 133%
Commercial (Big)	5,000	3,100	3,100	83% - 133%
Industry	----	1,400	1,400	----

*Energy and Water Utilities Regulatory Authority (The Inquiry on Very Small Power
Producer (VSPP) Tariff Review Application BYHUSK Power System*

GN No. 68 (contd.)

Key: Day and Night Charging Rates

Time of Use Thresholds	Time
83%	08:00 – 15:00hrs
100%	15:00 – 17:00hrs
115%	17:00 – 22:00hrs
133%	22:00 – 08:00hrs

Dodoma,
14th Jnuary, 2019

NZINYANGWA E. MCHANY
Director General

*Energy and Water Utilities Regulatory Authority (The Inquiry on Very Small Power
Producer (Vspp) Tariff Review Application by Redavia Tanzania Asset Limited*

GOVERNMENT NOTICE NO. 69 published on 31/1/2020

THE ENERGY AND WATER UTILITIES REGULATORY AUTHORITY ACT
(CAP.414)

NOTICE

(Made under Section 19 (4))

THE ENERGY AND WATER UTILITIES REGULATORY AUTHORITY (THE INQUIRY ON
VERY SMALL POWER PRODUCER (VSPP) TARIFF REVIEW APPLICATION BY REDAVIA
TANZANIA ASSET LIMITED NOTICE, 2020

Citation

1. This Notice may be cited as the Energy and Water Utilities Regulatory Authority (The Inquiry on VSPP Tariff Review Application by Redavia Tanzania Asset Limited) Notice, 2020.

Interpretation

2. In this Notice unless the context otherwise requires:
“Authority” means the Energy and Water Utilities Regulatory Authority established under the Act;
“Application for Tariff Adjustment” means an application to adjust electricity tariffs as presented in Schedule of this Notice;
“Inquiry” means the entire process of receiving comments from stakeholders with regard to the proposed tariff adjustment as specified in the Schedule;
“Very Small Power Producer” or in its acronym “VSPP” means an electricity generator with an installed capacity of:
(a) less than 15kW at a single site selling power to at least thirty retail customers; or
(b) between 15kW and 100kW at a single site that either sells power at wholesale to a Distribution Network Operators or at retail directly to a customer;

Purpose of the
Inquiry

3. The purpose of the inquiry is to enable the Authority to collect views on the proposed tariff for electricity service applicable from January, 2020.

*Energy and Water Utilities Regulatory Authority (The Inquiry on Very Small Power
Producer (Vspp) Tariff Review Application by Redavia Tanzania Asset Limited*

GN No. 69 (contd.)

Requested Tariff
Increase

4. Redavia Tanzania tariff proposal is presented in the Schedule to this Notice.

How to
Participate in the
Inquiry

5. Anyone who wishes to participate in the inquiry may do so by submitting his written views pertinent to the inquiry to the Director General at the address specified in paragraph 8 of this Notice *within fourteen days after the publication of this Notice.*

Intervention

6. Any person who wishes to intervene in these matters may submit in writing the intention to intervene within seven days from the date of this public notice.

Copies of the
Applications

7. Copies of the Applications are available at the Authority's offices during working hours from 9.00am to 4.00pm for public knowledge and use about these matters. Further details may be obtained upon written request to the Director General at the address shown in paragraph 8 of this notice.

Address of the
Authority

8. The address of the Authority shall be:

The Energy and Water Utilities Regulatory Authority
4th Floor, PSSSF House
Makole Road
P.O. Box 2857
Dodoma, Tanzania

SCHEDULE

Current and Proposed Tariff (TZS/Watt/per day)

S/N	Customer Group	Consumption	Units	Current Charge per Watt/per day	Proposed Charge per Watt/per day
1	All Customer Groups	1 to 20 Watts	Per day	FREE	FREE
		21 to 750 Watts	Per Day	0.90	0.90
		751 to 1500 Watts	Per Day	0.70	0.70
		Above 1501 Watts	Per Day	0.50	0.50

Dodoma,
14th January, 2020

NZINYANGWA E. MCHANY
Director General

*Water Supply and Sanitation (Mwanza Urban Water Supply and Sanitation
Authority) (Extension of Service Area and Dis-Establishment)*

GOVERNMENT NOTICE NO. 70 published on 31/1/2020
THE WATER SUPPLY AND SANITATION ACT
(NO. 5 OF 2019)

NOTICE

(Made under Section 9(1) and (2))

THE WATER SUPPLY AND SANITATION (MWANZA URBAN WATER SUPPLY AND
SANITATION AUTHORITY) (EXTENSION OF SERVICE AREA AND DIS-
ESTABLISHMENT) NOTICE, 2020

Citation

1. This Notice may be cited as the Water Supply and Sanitation (Mwanza Urban Water Supply and Sanitation Authority) (Extension of Service Area and Dis-establishment) Notice, 2020.

Extension of service
area

2. The service area of Mwanza Urban Water Supply and Sanitation Authority is hereby extended to include the areas specified in the First Schedule to this Notice.

Dis-Establishment

3.-(1) The Water authority specified in the Second Schedule to this Notice is hereby dis-established.

(2) The rights, responsibilities, tenure of employees, assets and liabilities or any other related matters given, issued or undertaken by the dis-established water authority shall be vested to Mwanza Urban Water Supply and Sanitation Authority.

FIRST SCHEDULE

(Made under paragraph 2)

S/NO.	NAME OF WATER SUPPLY AND SANITATION AUTHORITY	EXTENDED AREA OF SERVICE
1.	Mwanza Urban Water Supply and Sanitation Authority	Misungwi Town

*Water Supply and Sanitation (Mwanza Urban Water Supply and Sanitation
Authority) (Extension of Service Area and Dis-Establishment)*

GN No. 70 (contd.)

SECOND SCHEDULE

(Made under paragraph 3(1))

S/NO.	NAME OF DIS –ESTABLISHED WATER SUPPLY AND SANITATION AUTHORITY
1.	Misungwi Water Supply and Sanitation Authority

Dodoma,
....., 2020

MAKAME M. MBARAWA
Minister for Water

Water Supply and Sanitation (Dar Es Salaam Water Supply and Sanitation Authority) (Extension of Service Area and Dis-Establishment)

GOVERNMENT NOTICE NO. 71 published on 31/1/2020

THE WATER SUPPLY AND SANITATION ACT
(NO. 5 OF 2019)

NOTICE

(Made under Section 9(1) and (2))

THE WATER SUPPLY AND SANITATION (DAR ES SALAAM WATER SUPPLY AND
SANITATION AUTHORITY) (EXTENSION OF SERVICE AREA AND DIS-
ESTABLISHMENT) NOTICE, 2020

Citation and
commencement

1. This Notice may be cited as the Water Supply and Sanitation (Dar es Salaam Water Supply and Sanitation Authority) (Extension of Service Area and Dis-Establishment) Notice, 2020 and shall come into operation on the date of publication in the Gazette.

Extension of
service area

2. The service area of Dar es Salaam Water Supply and Sanitation Authority is hereby extended to include the areas specified in the First Schedule to this Notice.

Dis-
Establishment

3.-(1) The water authority specified in the Second Schedule to this Notice is hereby dis-established.

(2) The rights, responsibilities, tenure of employees, assets and liabilities or any other related matters given, issued or undertaken by the dis-established water authority shall be vested to Dar es Salaam Water Supply and Sanitation Authority.

FIRST SCHEDULE

g

(Made under paragraph 2)

S/NO.	NAME OF WATER SUPPLY AND SANITATION AUTHORITY	EXTENDED AREA OF SERVICE
1.	Dar es Salaam Water Supply and Sanitation Authority	Chalinze Town; and parts of or villages in Bagamoyo District Council, Kibaha District Council and Morogoro Rural District Council

Water Supply and Sanitation (Dar Es Salaam Water Supply and Sanitation Authority) (Extension of Service Area and Dis-Establishment)

GN No. 71 (contd.)

SECOND SCHEDULE

(Made under paragraph 3)

S/NO.	NAME OF DIS –ESTABLISHED WATER SUPPLY AND SANITATION AUTHORITY
1.	Chalinze Water Supply and Sanitation Authority

Dodoma,
23rd January, 2020

MAKAME M. MBARAWA
Minister for Water

Water Supply and Sanitation (Kahama Water Supply and Sanitation Authority)
(Extension of Service Area)

GOVERNMENT NOTICE NO. 72 published on 31/1/2020

THE WATER SUPPLY AND SANITATION ACT
(NO. 5 OF 2019)

NOTICE

(Made under Section 9(1) and (2))

**THE WATER SUPPLY AND SANITATION (KAHAMA WATER SUPPLY AND
SANITATION AUTHORITY) (EXTENSION OF SERVICE AREA) NOTICE, 2020**

Citation

1. This Notice may be cited as the Water Supply and Sanitation (Kahama Water Supply and Sanitation Authority) (Extension of Service Area) Notice, 2020.

Extension of
service area

2.-(1) The service area of Kahama Water Supply and Sanitation Authority is hereby extended to include the area specified in the Schedule to this Notice.

(2) Any community organisation or entity registered before publication of this Notice providing water and sanitation services in the extended service area shall cease to provide such services.

(3) The rights, responsibilities, tenure of employees, assets and liabilities or any other related matters given, issued or undertaken by the community organisation or entity under subparagraph (2), shall vest to Kahama Water Supply and Sanitation Authority.

SCHEDULE

(Made under paragraph 2(1))

S/NO.	NAME OF WATER SUPPLY AND SANITATION AUTHORITY	EXTENDED AREA OF SERVICE
1.	Kahama Water Supply and Sanitation Authority	Isaka Town

Dodoma,
25th January, 2020

MAKAME M. MBARAWA
Minister for Water