

GOVERNMENT NOTICE No. 80 published on 7/2/2020

THE LAND TRANSPORT REGULATORY AUTHORITY ACT,
(CAP. 413)

REGULATIONS

(Made under section 45)

THE LAND TRANSPORT REGULATORY AUTHORITY
(CERTIFICATION OF TRAIN DRIVERS AND REGISTRATION OF TRAIN
CREW) REGULATIONS, 2020

ARRANGEMENT OF REGULATIONS

<i>Regulations</i>	<i>Title</i>
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PART I

PRELIMINARY PROVISIONS

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

PART II

CERTIFICATION OF TRAIN DRIVERS

4. Certification of drivers.

PART III

PROCEDURE FOR OBTAINING CERTIFICATE

5. Application for certificate.
6. Issuance of certificate.
7. Certification Committee.
8. Functions of Certification Committee.

*Land Transport Regulatory Authority (Certification of Train Drivers and
Registration of Train Crew)*

GN. No. 80 (contd.)

9. Issuance of certificate of competence.
10. Renewal of certificate.
11. Certification fees.
12. Transit permit.
13. Demerit points.
14. Suspension or cancellation of certificate of competence.
15. Renewal of certificate of competence.
16. Certificate of competence not transferable.

PART IV
REGISTRATION OF TRAIN CREW

17. Application for registration.
18. Requirements for registration.
19. Issuance of registration card.
20. Transfer of registration card.
21. Loss of registration card.

PART V
TERMS AND CONDITIONS FOR TRAIN CREW

22. Terms and conditions for train driver and train guard.
23. Prohibited conduct.
24. Offences and penalties.

SCHEDULES

*Land Transport Regulatory Authority (Certification of Train Drivers and
Registration of Train Crew)*

GN. No. 80 (contd.)

THE LAND TRANSPORT REGULATORY
AUTHORITY ACT,
(CAP. 413)

REGULATIONS

(Made under section 45)

THE LAND TRANSPORT REGULATORY AUTHORITY (CERTIFICATION OF
TRAIN DRIVERS AND REGISTRATION OF TRAIN CREW) REGULATIONS,
2020

PART I

PRELIMINARY PROVISIONS

Citation	1. These Regulations may be cited as the Land Transport Regulatory Authority (Registration and Certification of Crew) Regulations, 2020.
Application	2. These Regulations shall apply to crew of regulated sectors as construed under these Regulations.
Interpretation	3. In these Regulations, unless the context otherwise requires-
Cap.413	“Act” means the Land Transport Regulatory Authority Act;
Cap.413	“Authority” means the Land Transport Regulatory Authority established under section 4 of the Act;
	“Certificate of competence” means a permit issued by the Authority to a train driver of a regulated sector.
	“certificate” means a permit granted to a train driver;
	“Certification Committee” means a committee responsible for certification of train drivers established under regulation 7;
	“crew” means a train driver, train guard, train conductor and coach attendant;
	“demerit point system” means a system of penalizing drivers of train for violating provisions of train

*Land Transport Regulatory Authority (Certification of Train Drivers and
Registration of Train Crew)*

GN. No. 80 (contd.)

- working Rules by assigning points for each type of violation and revoking or suspending the driver's certificate if a certain number of points are accrued;
- Cap.413 "Director General" means the Director General of the Authority appointed under section 15 of the Act;
- "medical practitioner" means a medical practitioner registered with the Medical Council of Tanganyika;
- Cap.95 "narcotic substance" has the meaning assigned to that expression under the Drugs and Prevention of Illicit Traffic in Drugs Act;
- "officer of the Authority" means director, manager or any other officer authorised by the Authority;
- "passenger" means any person who is traveling in a train, who possesses a valid train ticket and includes a child of apparent age of not more than five years travelling in a train;
- "time table" means a document issued by the railways authority prescribing time of departure and arrival of train at different stations in a specified route;
- "train driver" a certified person who operates a train; and
- "train" includes a locomotive, a shunting locomotive, rail car, motor trolley when given operating number and permit to occupy a railway section.

PART II

CERTIFICATION OF TRAIN DRIVERS

Certification
of drivers

4.-(1) A person shall not drive a train without being certified by the Authority.

(2) A driver of cross border train to Mainland Tanzania shall ensure that he possesses -

- (a) a certificate of competence issued by the Authority in accordance with these Regulations;
- or
- (b) a certificate of competence issued by a relevant authority from the respective country.

PART III
PROCEDURE FOR OBTAINING CERTIFICATE

Application
for
certificate

5.-(1) A person who intends to be certified by the Authority as a train driver shall submit an application to the Authority in a form prescribed in the First Schedule.

(2) The application under sub-regulation (1), shall be accompanied with:

- (a) a certified copy of birth certificate or any relevant document for proof of birth;
- (b) a certified copy of Certificate of Secondary Education Examination (CSEE) or its equivalent;
- (c) a certified copy of a basic training in locomotive driving from a recognized railway institute;
- (d) proof of completion of at least two years practical and internship training in railway operations;
- (e) proof of payment of certification fees; and
- (f) a recent medical examination report from a medical practitioner.

(3) Notwithstanding sub-regulation (1) a train driver who -

- (a) has completed basic training in locomotive driving; and
- (b) possesses experience of not less than five years in locomotive driving,

shall submit an application to the Authority as may be prescribed by the Authority.

Issuance of
certificate

6.- The Authority shall, where it is satisfied that the application requirements under these Regulations are complied with, issue a certificate bearing the following -

- (a) name and address of the certified train driver;
- (b) duration of the certificate; and
- (c) conditions of the certificate.

*Land Transport Regulatory Authority (Certification of Train Drivers and
Registration of Train Crew)*

GN. No. 80 (contd.)

Certification
Committee

7.-(1) The Director General shall establish a Certification Committee which shall consist of three members as follows-

- (a) a certified railway assessor;
- (b) a certified locomotive inspector; and
- (c) a qualified psychologist or a medical doctor.

(2) The tenure of the members of the Committee shall be three years and may be renewed once.

(3) The Authority shall prepare certification guidelines that will enable the committee perform its functions under these Regulations.

Functions of
Certification
Committee

8.- The functions of the Certification Committee shall be as follows:

- (a) determination of applications for certification of train drivers;
- (b) preparation of assessment report and submit to the Director General; and
- (c) performing any other function relating to certification of Train drivers as may be directed by the Director General.

Issuance of
certificate of
competence

9.-(1) The Authority shall, where it is satisfied that the application requirements under these Regulations are complied with, issue a certificate of competence.

(2) The certificate of competence issued under this regulation shall:

- (a) be in a form prescribed in the Second Schedule; and
- (b) contain one hundred (100) merit points as prescribed in the Fifth Schedule.

(3) A certificate of competence issued under this regulation shall be valid for a period of two years.

Renewal of

10.-(1) A driver who intends to renew a certificate of

*Land Transport Regulatory Authority (Certification of Train Drivers and
Registration of Train Crew)*

GN. No. 80 (contd.)

certificate	competence may apply to the Authority within sixty days prior to the expiry date. (2) The application for renewal of a certificate shall be accompanied with: (a) proof of payment of certification fees; and (b) a recent medical examination report from a medical practitioner.
Certification fees	11.- An applicant for a certificate shall pay to the Authority fees as set out in the Third Schedule.
Transit permit	12.-(1) Any driver who intends to cross border to Tanzania shall submit online application in a prescribed form under the Fourth Schedule. (2) Notwithstanding regulation 5, the Authority may issue a transit permit to cross border train in accordance with bilateral or regional agreement.
Demerit points	13.-(1) A driver of a train shall be subjected to a demerit point system set out in the Fifth Schedule. (2) The Authority shall record demerit points accumulated from the train driver's misconduct for the period of two years. (3) The points to be deducted from the certificate of competence shall be as prescribed in the Fifth Schedule.
Suspension or cancellation of certificate of competence	14.-(1) Where a train driver contravenes these Regulations the Authority may suspend or cancel his certificate of competence in a manner prescribed in the Fifth Schedule. (2) Notwithstanding sub-regulation (1), the Authority shall, issue to the train driver a notice of seven days to show cause why the certificate shall not be suspended or cancelled. (3) Where the Authority is not satisfied with train driver's explanations, it shall suspend or cancel the certificate of competence of the train driver. (4) A train driver whose certificate of competence is

*Land Transport Regulatory Authority (Certification of Train Drivers and
Registration of Train Crew)*

GN. No. 80 (contd.)

suspended or cancelled shall-

- (a) in the case of a suspended certificate, not drive any train for a prescribed period of suspension; and
- (b) in the case of a cancelled certificate, cease to operate any train for the period of one year from the date of cancellation, and shall, in addition, immediately surrender the certificate to the Authority.

(5) A person who is aggrieved by the decision of the Authority may, within fourteen days of such decision apply for review in accordance with the Act.

Renewal of
certificate of
competence

15.-(1) A train driver who intends to renew a certificate of competence may, within sixty days prior to the expiry date, apply to the Authority.

(2) The application for renewal of a certificate shall be accompanied by-

- (a) a copy of the expiring certificate of competent of the applicant;
- (b) proof of payment of certification fees as prescribed in the Third Schedule; and
- (c) a recent medical examination report from a qualified medical practitioner.

Certificate of
competence
not
transferable

16.- The certificate of competence issued under these Regulations shall not be transferred to any person.

**PART IV
REGISTRATION OF TRAIN CREW**

Application
for registration

17.- A person who intends to work as crew in a train shall apply for registration to the Authority in the form prescribed in the Sixth Schedule.

*Land Transport Regulatory Authority (Certification of Train Drivers and
Registration of Train Crew)*

GN. No. 80 (contd.)

Requirements
for
registration

18.- An application for registration as crew shall be accompanied with-

- (a) a letter from the employer;
- (b) a recent medical examination report from the medical practitioner; and
- (c) a certified copy of a certificate of attendance in a relevant field.

Issuance of
registration
card

19.- Where the Authority-

- (a) is satisfied that the provisions of regulation 18 have been complied with, the Authority shall issue a registration card in the manner set out in the Seventh Schedule; or
- (b) refuses to grant an application for registration, the Authority shall notify the applicant.

Transfer of
registration
card

20. The registration card issued under these Regulations shall not be transferred to any person.

Loss of
registration
card

21. Where a registration card issued under these Regulations is lost, mutilated or destroyed, the Authority may, issue a duplicate of the certificate.

PART V

TERMS AND CONDITIONS FOR TRAIN CREW

Terms and
conditions for
train driver
and train
guard

22. A train driver and train guard shall-

- (a) adhere to specified speed limits;
- (b) ensure that all doors are closed before moving the passenger train; and .

*Land Transport Regulatory Authority (Certification of Train Drivers and
Registration of Train Crew)*

GN. No. 80 (contd.)

- | | |
|---------------------------|---|
| Prohibited
conduct | <p>(c) maintain a time table.</p> <p>23. A crew shall, while on duty shall-</p> <ul style="list-style-type: none">(a) not carry passengers in excess of the maximum number stated in the coach capacity;(b) maintain a log book and time table;(c) wear employer's identity card;(d) wear employer's uniform;(e) not work under the influence of alcohol or any other narcotic substance;(f) obey lawful order of the officer of the Authority; and(g) not use hostile and abusive language to passengers. |
| Offences and
penalties | <p>24-(1) A train guard, train conductor and coach attendant who contravenes or fails to comply with these Regulations commits an offence and shall, on conviction, be liable to a fine of not less than fifty thousand but not exceeding one hundred thousand shillings or to imprisonment of not less than one month but not exceeding one year, or to both, fine and imprisonment.</p> <p>(2) A driver who contravenes or fails to comply with these Regulations commits an offence and shall, on conviction, be liable to a fine of not less than fifty thousand but not exceeding two hundred thousand shillings and will be subjected to demerit points system set out in the Fifth Schedule; or imprisonment of not less than three months but not exceeding one year, or to both, fine and imprisonment.</p> |

SCHEDULE

*Land Transport Regulatory Authority (Certification of Train Drivers and
Registration of Train Crew)*

GN. No. 80 (contd.)

FIRST SCHEDULE

(Made under regulation 5(1))

TRAIN DRIVING CERTIFICATE APPLICATION FORM

Passport size photo

PART 1: Applicant's Details	
1.1. Surname:.....	
1.2. Name(s):.....	
1.3. Sex:	
Male: Female:.....	
Date of birth (DD-MM-YYYY):.....	
1.4. Place of birth:.....	
1.5. Nationality:.....	
1.6. Language spoken.....	
1.7. Postal address.....	
1.8. Application for:	
a. First issue:.....	b. Replacement:.....
c. Renewal:.....	
NIDA Identification Number:.....	
Date of first issue.....	Expiry date:.....
PART 2: List of documents to be appended	

*Land Transport Regulatory Authority (Certification of Train Drivers and
Registration of Train Crew)*

GN. No. 80 (contd.)

	(a) a certified copy of birth certificate or any relevant document for proof of birth;
	(b) a certified copy for successful completion of at least secondary school education;
	(c) a certified copy of a successful completion of basic (d) training in locomotive driving from a recognized railway institute;
	(e) proof of completion of at least two years practical and (f) internship training in railway operation;
	(g) proof of payment of certification fees; and
	(h) a recent medical examination report from a medical practitioner

PART 3 Declaration

I hereby declare that to the best of my knowledge that all the information provided in this application is true.

Applicant's Signature Date.....

*Land Transport Regulatory Authority (Certification of Train Drivers and
Registration of Train Crew)*

GN. No. 80 (contd.)

SECOND SCHEDULE

(Made under regulation 9 (2) (a))

Certificate of competence

The United Republic of Tanzania Land Transport Regulatory Authority (LATRA)		Passport size photo
CERTIFIED TRAIN DRIVER		
Drivers Name::		
Staff ID No.		
Department:		
CERTIFICATION:		
Date of Issue		Signature
Expiry Date		
Serial No.		Director General

*Land Transport Regulatory Authority (Certification of Train Drivers and
Registration of Train Crew)*

GN. No. 80 (contd.)

THIRD SCHEDULE

(Made under regulation 11)

Application Fee

S/N	Particular	Amount(Tshs)
1.	Application Fee	60, 000 /-
2.	Replacement Fee	80, 000 /-

***Note:** These fee items are paid per the term of the certification*

*Land Transport Regulatory Authority (Certification of Train Drivers and
Registration of Train Crew)*

GN. No. 80 (contd.)

FOURTH SCHEDULE

TRANSIT PERMIT

(Made under regulation 12(1))

Passport size
photo

Application Form – Transit Permit for Train Driver

Part 1. Personal Details

1. First Name(s)
2. Surname
3. Postal Address.....
Town/City.....
4. Nationality.....
Place of Birth.....
Date of birth Day.....MonthYear.....
5. Gender: Male ☐ Female ☐

Part 2. Other Information

Telephone number.....
Email.....
Purpose of the visit.....
DestinationCountry
Duration of stay in days
Entry dateExpected return date.....
Employer's.....
Employer's Contact Address.....Tel.
No.....

Part 3. License Details

1. Driver's Certificate number
.....

*Land Transport Regulatory Authority (Certification of Train Drivers and
Registration of Train Crew)*

GN. No. 80 (contd.)

2. Issuing
Authority.....
3. Date issued
.....
4. Expiry date.....

Part 4. Declaration

I hereby declare that to the best of my knowledge that all the information provided in this application is true.

Applicant's Signature Date.....

FIFTH SCHEDULE

DEMERIT POINTS

Made under regulation 9(2) (b),13(1)(3) and 14(1))

1. In these Regulations, "Accumulated demerit points" means the total demerit points in a driver's record acquired as a result of offences committed within any period of two years.
2. The authority shall take the following decision in relation to accumulated demerit points:
 - (a) suspend for the period of three months **Driver's Certificate of competence** of the driver who's accumulated demerit points are between forty and fifty points;
 - (b) suspend for the period of six months **Driver's Certificate of competence** of the driver who's accumulated demerit points are between thirty and forty;
 - (c) revoke **Driver's Certificate of competence** of the driver whose accumulated demerit points are below thirty; and
 - (d) any driver whose Certificate of competence has been revoked, shall not

*Land Transport Regulatory Authority (Certification of Train Drivers and
Registration of Train Crew)*

GN. No. 80 (contd.)

be allowed to apply for the same certificate within the period of
two years.

3. A table indicating type of offences and number of points attached to each offence is here under:

S/N	NATURE OF OFFENCE	NUMBER OF DEMERIT POINTS
1.	Driving under the influence of alcohol or any other narcotic substances exceeding set limit.	20
2.	Driving above sectional running speed	15
3.	Failure to observe and obey safety signs and signals	15
4.	Driving the train while passenger's door is open	10
5.	Improper filling of the logbook	10
6.	Driving a train without a line clear ticket	10
7.	Blocking or obstructing intentionally other traffic at level Crossings	10
8.	Driving a train without carrying safety protective equipment	5
9.	Driving a train without carrying a certificate of competence	5
Total Demerit Points		100

*Land Transport Regulatory Authority (Certification of Train Drivers and
Registration of Train Crew)*

GN. No. 80 (contd.)

SIXTH SCHEDULE

(Made under regulation 17)

APPLICATION FORM FOR TRAIN CREW REGISTRATION

PART 1: Applicant's Details

Passport size photo

1.9. Surname:.....

1.10. Name(s):.....

1.11. Sex: Male:Female:.....

1.12. Date of birth (DD-MM-
YYYY):.....

1.13. Place of birth:.....

1.14. Nationality:.....

1.15. Language spoken.....

Applicant Physical address

NIDA Identification Number:

Date of first issue(YYYY-MM-DD):

Expiry date:

PART 2: List of documents to be appended

- (a) a letter from the employer;
- (b) a recent medical examination report from the medical practitioner; and
- (c) a certified copy of a certificate of attendance in a relevant field.

PART 3 Declaration

*Land Transport Regulatory Authority (Certification of Train Drivers and
Registration of Train Crew)*

GN. No. 80 (contd.)

I hereby declare that to the best of my knowledge that all the information provided in this application is true.

Applicant's Signature Date.....

SEVENTH SCHEDULE

Crew Registration Card

(Made under regulation 19)

The United Republic of Tanzania Land Transport Regulatory Authority (LATRA)		
REGISTERED TRAIN CREW		
Staff Name:		
Staff ID		
No.		
Department		
:		
CERTIFICATION:		
The bearer of this card is a registered as per LATRA requirements.		
Date of		Signature
Issue		
Expiry Date		
Serial No.		Director General

Dodoma,
28th January, 2020

ISACK A. KAMWELWE,
Minister for Works, Transport and Communication