

GOVERNMENT NOTICE No.179 published on 21/3/2025

TANZANIA SHIPPING AGENCIES ACT,
CAP. 415

REGULATIONS

(Made under section 61(2)(c))

THE TANZANIA SHIPPING AGENCIES (COMPLAINTS HANDLING PROCEDURES)
(AMENDMENT) REGULATIONS, 2025

Citation
GN. No.
338 of 2018

1. These Regulations may be cited as the Tanzania Shipping Agencies (Complaints Handling Procedures) (Amendment) Regulations, 2025 and shall be read as one with the Tanzania Shipping Agencies (Complaints Handling) Regulations, 2018 hereinafter referred to as the “principal Regulations”.

Amendment
of regulation
2

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

“2.-(1) These Regulations shall apply to complaints filed to the Corporation in relation to the written laws, regulations, rules or notices administered by the Corporation in relation to regulated services or services provided in the maritime transport.

(2) These Regulations shall be liberally construed in the public interest to secure the most just, expeditious and efficient determination on the merits of every proceeding before the Corporation.”

Amendment
of regulation
3

3. The principal Regulations are amended in regulation 3 by:

(a) adding in the alphabetical order the following interpretations:

“Complainant” means a person who has filed a

complaint to the Corporation pursuant to these Regulations;

“Complaint” means a concise statement of the ultimate facts of the matter or act complained of, in respect of the provision, possible provision or purported provision of the regulated services or service rendered by the Corporation and thus invoking the regulatory power or jurisdiction of the Authority, and specifying the relief sought which includes problems with services or infringement of consumer rights;

Addition of
Part IIA

4. The principal Regulations are amended under PART II by adding before it the following new Part IIA:

“PART IIA

COMPLAINTS HANDLING MECHANISMS

Amicable
settlement

4A.-(1) Where a complainant has filed a complaint, the respective Directorate or Unit of the Corporation shall endeavour to resolve the matter amicably.

(2) Subject to subregulation (1), a settlement reached out of amicable settlement shall be in writing and signed by the parties.

(3) Where the complaint cannot be resolved amicably within seven working days, the complaint shall be forwarded to the Committee for further determination.

Establishment
of Committee

4B. For the purposes of ensuring effective and timely handling and determination of complaints, there shall be an internal Committee to be known as the Complaints Handling Committee.

Composition of
Committee

4C.-(1) The Committee shall consist of-
(a) Director of Legal Services who shall be the Chairman;

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- (b) Director of Maritime Transport Regulations;
- (c) Director of Maritime Safety, Security and Environment;
- (d) Director of Shipping Business;
- (e) Director of Corporate Services;
- (f) Director of Economic Regulations; and
- (g) a Legal Officer from the Legal Services Unit, who shall be the Secretary to the Committee.

(2) Where the Member above cannot attend the meeting due to the reasons known to the Chairman, he can appoint a senior officer from his Directorate or Unit well versed to the matter to represent him.

Functions of
Committee

4D.-(1) The functions of the Committee shall be to-

- (a) receive, scrutinize and hear the complaints from the regulated service providers, their customers or the customers of the Corporation; and
- (b) investigate all complaints;
- (c) make and present findings and recommendations regarding the complaints to the Director General for determination.

(2) The Committee shall ensure that complaints are treated in a uniform manner.”

Addition of
regulations
17A and 17B

5. The principal Regulations are amended by adding immediately after regulation 17 the following new regulations:

Enforcement
of decision

17A. The decision of the Corporation made under these Regulations may be enforceable before the High Court of the United Republic.

Rules of

17B.-(1) Where procedures are not

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procedure
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provided for in these Regulations, a pertinent rule of procedure prescribed under the Civil Procedure Act which is pertinent to such procedural issue, shall apply.

(2) Subject to the requirements of due process, the technicalities of the law, procedures and rules applicable in the courts of law shall not strictly apply to these Regulations.

Dodoma,
5th Marh 2025

MAKAME M. MBARAWA
Minister for Transport