

GOVERNMENT NOTICE No. 394 published on 24/5/2024

THE TANZANIA SHIPPING AGENCIES ACT,
(CAP. 415)

REGULATIONS

(Made under section 61(2)(g) and (j))

THE TANZANIA SHIPPING AGENCIES (CARGO SECURITY AND SAFETY OF TERMINAL OPERATIONS) (AMENDMENT) REGULATIONS, 2024

Citation

GN. No.
381 of 2023

1. These Regulations may be cited as the Tanzania Shipping Agencies (Cargo Security and Safety of Terminal Operations) (Amendment) Regulations, 2024 and shall be read as one with the Tanzania Shipping Agencies (Cargo Security and Safety of Terminal Operations) Regulations, 2023 hereinafter referred to as the “principal Regulations”.

Amendment of
regulation 3

2. The principal Regulations are amended in regulation 3 by adding in the appropriatical order the following new definition:

““competent authority” means a Minister, government department or other authority empowered to issue regulations, orders or other instructions having the force of law;”.

Amendment of
regulation 5

3. The principal Regulations are amended in regulation 5:

- (a) by deleting the word “Notwithstanding” in subregulation (1) and substituting for it the phrase “Without prejudice to”; and
- (b) in subregulation (2) by-
 - (i) deleting the proviso; and
 - (ii) adding immediately after subregulation (2), the following:

“(3) For the purpose of this

*Tanzania Shipping Agencies (Cargo Security and Safety of Terminal Operations)
(Amendment) Regulations*

GN. No. 394 (Contd)

regulation “justifiable and documented reasons” includes failure to comply with the relevant laws, regulations or directives.”.

Amendment of regulation 12

4. The principal Regulations are amended in regulation 12(a) by deleting the word “not”.

Amendment of regulation 14

5. The principal Regulations are amended in regulation 14(4) by inserting the words “and wagon” between the words “truck” and “by”.

Amendment of Part IV

6. The principal Regulations are amended in PART IV by deleting reference to “PART IV” and substituting for it “PART VI”;

Amendment of regulation 20

7. The principal Regulations are amended in regulation 20(1):
(a) in paragraph (c) by deleting the semi colon and the word “and” appearing at the end of paragraph (c) and substituting for them a full stop; and
(b) deleting paragraph (d).”.

Amendment of regulation 23

8. The principal Regulations are amended in regulation 23 by-
(c) adding immediately after subregulation (1)(b) the following proviso:
“Provided that, the terminal operator shall ensure that alternative firefighting equipment, facilities and systems are in place during the mock exercise or repair and maintenance.”
(d) deleting the words “kept open” appearing in subregulation (4) and substituting for them the words “accessible and readily available for use”.

Amendment of regulation 30

9. The principal Regulations are amended in regulation 30 by adding immediately after subregulation (2) the following:

*Tanzania Shipping Agencies (Cargo Security and Safety of Terminal Operations)
(Amendment) Regulations*

G.N. No. 394 (Contd)

“(3) For the purpose of this regulation, “a competent person” means a person who-

- (a) has the relevant certificate from a recognised training institution;
- (b) has at least one year of experience in operating lift appliances and loose gear; and
- (c) is approved by the competent authority.”.

Amendment of regulation 34

10. The principal Regulations are amended in regulation 34 by deleting the word “Notwithstanding” and substituting for it the phrase “Without prejudice”.

Amendment of regulation 35

11. The principal Regulations are amended in regulation 35(1) by deleting the words “34 and 35” and substituting for them the words “33 and 34”.

Amendment of regulation 40

12. The principal Regulations are amended in regulation 40 by deleting the marginal note and substituting for it the following:

“Supervision of berth operations”

Amendment of regulation 53

13. The principal Regulations are amended in regulation 53(2) by inserting the words “in relation to safety and security” between the words “training” and “of”.

Amendment of regulation 55

14. The principal Regulations are amended in regulation 55(3) by inserting the word “preliminary” between the words “produce” and “investigation.”

Amendment of regulation 57

15. The principal Regulations are amended in regulation 57 by deleting the words “two”, “twenty” and “one year” and substituting for them the words “twenty”, “fourty” and “two years” respectively.

Renumbering of regulation 59

16. The principal Regulations are amended by renumbering “regulation 59” as “regulation 58” .

Amendment of First Schedule

17. The principal Regulations are amended in the First Schedule by-

*Tanzania Shipping Agencies (Cargo Security and Safety of Terminal Operations)
(Amendment) Regulations*

GN. No. 394 (Contd)

- (a) deleting figure “5” appearing in the enabling provision of Form No. 1 and substituting for it figure “5(1)”; and
- (b) deleting figure “8(1)” appearing in the enabling provision of Form No. 2 and substituting for it figure “8(2)”.

Amendment of
Second
Schedule

18. The principal Regulations are amended in the Second Schedule by deleting figure “52(1)” appearing in the enabling provision and substituting for it figure “51(2)”.

Dodoma,
3rd May, 2024

MAKAME M. MBARAWA
Minister of Transport