

Tanzania

Ferries Act

## Malagarasi Ferry Regulations, 1955

Government Notice 450 of 1955

Legislation as at 31 July 2002

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## Malagarasi Ferry Regulations, 1955

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## Tanzania

### Ferries Act

## Malagarasi Ferry Regulations, 1955

### Government Notice 450 of 1955

Published in Tanzania Government Gazette

#### Commenced

*[This is the version of this document at 31 July 2002.]*

*[Note: This legislation has been thoroughly revised and consolidated under the supervision of the Attorney General's Office, in compliance with the Laws Revision Act No. 7 of 1994, the Revised Laws and Annual Revision Act (Chapter 356 (R.L.)), and the Interpretation of Laws and General Clauses Act No. 30 of 1972. This version is up-to-date as at 31st July 2002.]*

*[G.N. No. 450 of 1955]*

1.

These Regulations may be cited as the Malagarasi Ferry Regulations.

2.

In these Regulations, unless the context otherwise requires—

"**administration**" means the Regional Engineer, Kigoma Region, or the officer acting on his behalf;

"**collector**" means the member of the crew of the pontoon appointed by the administration to collect toll fees;

"**toll fees**" means the fees set out in the Schedule to these Regulations.

3.

The ferry services shall be operated by the administration by means of pontoons attached by pulleys to cables stretching from bank to bank.

4.

The ferry services shall be operated daily throughout the year except when in the opinion of the administration it would be unsafe to do so and shall make crossings of the Malagarasi River as and when required beginning at sunrise and ending at sunset:

Provided that the collectors may make additional crossings outside these hours as and when directed by the administration.

5.

- (1) The pontoons while under way shall at all times be under the charge and control of collectors or, if present, the administration.
- (2) All passengers and all animals, vehicles and other cargo shall be taken on or landed at the ramps provided for that purpose.

**6.**

The maximum load which each pontoon may carry shall be ten tons total weight inclusive of motor vehicle, loads, animals, passengers and for the purpose of these Regulations each passenger shall be the equivalent of one hundred and fifty pounds of load.

**7.**

If a passenger, with intent to defraud the administration—

- (a) refuses to pay the prescribed toll fee; or
- (b) leaves or attempts to leave the ferry without paying the prescribed toll fee,

he commits an offence under these Regulations and upon conviction is liable to pay a fine of one hundred shillings.

**8.**

Any person who—

- (a) wilfully obstructs the collector or other person employed to work the pontoon in the execution of his duties; or
- (b) behaves, while on the pontoon, in the opinion of the collector, in an insulting or indecent manner towards any member of the crew or any passenger, or commits any nuisance or uses obscene or abusive language; or
- (c) boards the pontoon after being warned by the collector that it already contains its maximum load; or
- (d) boards the pontoon in an unsafe or dangerous manner or causes damage to the pontoon or its attachments,

commits an offence under these Regulations and shall be liable upon conviction to a fine of one hundred shillings, and it shall be lawful for the collector or the administration or a Police Officer forcibly to remove such person from the pontoon.

**9.**

Any person who uses or attempts to use the pontoon or ancillary canoe without the permission of the collector or in the absence of the collector or during the hours of darkness commits an offence under these Regulations and is liable upon conviction to a fine of one thousand shillings.

**10.**

The collector may refuse to allow to board the pontoon any vehicle, animal or person which, in his opinion, may endanger safety during the act of boarding or disembarking or during carriage.

**11.**

The prescribed toll fees shall be payable on demand to the collectors, and it shall be lawful for the collectors to refuse to carry on the pontoons any person or animal, vehicle or other property of any person unless such person shall have paid the appropriate toll fee before embarking his animal, vehicle or other property on the pontoon.

12.

Except in the cases mentioned in regulations 8, 10 and 11, the collectors may not refuse to accept any passenger or cargo of the kind specified in the Schedule.

13.

The collectors shall be responsible for the regularity of the service and control of traffic embarking therein or disembarking therefrom, and every passenger on the pontoons shall obey all such reasonable directions as the collectors may think fit to give.

14.

The administration may at any time suspend the service of the ferry for any reason which may appear to render this course necessary or desirable.

15.

The toll fees specified in the Schedule shall be exhibited in a conspicuous place on the ferry landing.

**Schedule****Toll fees**

		<b>Shs.</b>	<b>Cts.</b>
1.	Passengers	0	05
2.	Loads over 50 lb.	0	05
3.	Cattle and donkeys, each	0	50
4.	Sheep and goats, each	0	05
5.	Bicycles	0	05
6.	Motor bicycles and hand carts	0	50
7.	Motor car and driver	1	00
8.	Motor omnibuses, other vehicles not included in 6 and 7 above and motor lorries with a carrying capacity not exceeding 5 tons	2	00
9.	Motor lorries with a carrying capacity exceeding 5 tons	3	00