

Tanzania

Ferries Act

## Msanga Mkuu Regulations, 1994

Government Notice 263 of 1994

Legislation as at 31 July 2002

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## Msanga Mkuu Regulations, 1994

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## Tanzania

### Ferries Act

## Msanga Mkuu Regulations, 1994

### Government Notice 263 of 1994

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*[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.]*

*[Section 11; G.N. No. 263 of 1994 ]*

#### 1. Citation

These Regulations may be cited as the Msanga Mkuu Regulations, and shall apply to the public ferry service on a public Ferry, commonly known as the Msanga Mkuu Ferry at Mtwara Point, between Mshangani Mtwara and Mpondo Msanga (herein referred to as the "Ferry Service").

#### 2.

In these Regulations, the following expressions shall, unless the context otherwise requires, have the meaning hereby respectively assigned to them, that is to say—

"**administration**" means the Regional Engineer, Ministry of Communications, Works and Transport, Mtwara, or the officer acting on his behalf;

"**collector**" means the member of the crew of the motor boat 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 a motor boat for the carriage of passengers and selected cargo only.

#### 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 Mtwara Harbour entrance at regular intervals of not more than 20 minutes per round trip, beginning at 5 a.m. and ending at 9 p.m.

#### 5.

The collectors may make additional crossing outside the hours specified in regulation 4 as and when directed by the administration:

- (a) The motor boat while under way shall at all times be under the control of the collectors, or if present, the administration.

- (b) All passengers and cargo shall be taken on or landed at the landing stages provided by the administration.

**6.**

The maximum number of passengers which may be carried in the ferry at any one time shall be limited to eight in number and the maximum load inclusive of passengers and cargo shall be one ton total, and for the purposes of these Regulations each passenger shall be the equivalent of 150 kgs. 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 shall be guilty of an offence against these Regulations and on conviction shall be liable to pay a fine of one thousand 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 motor boat after being warned by the collector that it already contains its maximum load; or
- (d) boards the motor boat in an unsafe or dangerous manner or causes damage to the pontoon or attachments,

shall be guilty of an offence against these Regulations and shall be liable on conviction to a fine of one thousand shillings, and it shall be lawful for the collector of the administration or a Police Officer forcibly to remove such person from the motor boat.

**9.**

Any person who uses or attempts to use the motor boat without the permission of the collector or administration, or in the absence of the collector or administration, shall be guilty of an offence against these Regulations and shall be liable on conviction to a fine of one thousand shillings.

**10.**

The collector may refuse to allow on board any person or load which, in his opinion, may endanger safety during the act of boarding, or disembarkation, or during carriage.

**11.**

The prescribed toll fee shall be payable on demand of the collectors, and it shall be lawful for the collector to refuse to carry on the motor boat any person or load, unless the appropriate toll fee shall have been paid in respect of such person or load prior to embarkation on the motor boat.

12.

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

13.

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.

14.

The maximum number of passengers and/or loads which the motor boat is permitted to carry shall be displayed conspicuously in Kiswahili at both ferry landings and on the motor boat.

15.

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

**Schedule****Toll fees**

1.	Children	Shs.	20/=
2.	Adults	Shs.	50/=
3.	Motorcycles, Bicycles	Shs.	70/=
4.	Wheel cart, or cattle	Shs.	150/=
5.	Saloon cars	Shs.	1,100/=
6.	Pick-ups and Mini cars	Shs.	2,000/=
7.	Lorries not exceeding 7 tons	Shs.	2,000/=
8.	Lorries exceeding 15 tons	Shs.	2,500/=
9.	Trailers, and Earth movers	Shs.	3,500/=
10.	Loads over 50 kgs	Shs.	50/=