

**SUBSIDIARY LEGISLATION**

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**THE TRANSPORT LICENSING ACT  
(CAP. 317)**

**REGULATIONS**

*(Made under section 45)*

**THE TRANSPORT LICENCING (GOODS CARRYING VEHICLES)  
(AMENDMENT) REGULATIONS, 2017**

**ARRANGEMENT OF REGULATIONS**

*Regulation Title*

1. Citation.
2. Amendment of regulation 29.
3. Amendment of regulation 32.
4. Addition of new regulations 33, 34, 35, 36 and 37.
5. Addition of new Third, Fourth and Fifth Schedules.

**SCHEDULES**

THE TRANSPORT LICENSING ACT  
(CAP. 317)

**REGULATIONS**

*(Made under section 45)*

THE TRANSPORT LICENCING (GOODS CARRYING VEHICLES)  
(AMENDMENT) REGULATIONS, 2017

Citation  
GN. No. 390 of  
2012

1. These Regulations may be cited as the Transport Licensing (Goods Carrying Vehicles) (Amendment) Regulations, 2017 and shall be read as one with the Transport Licensing (Goods Carrying Vehicles) Regulations, 2012 hereinafter referred to as the “principal Regulations”.

Amendment of  
regulation 29

2. Regulation 29 of the principal Regulations is amended by deleting sub-regulation (6) and substitution for it the following:

GN. No.15 of  
2008

“(6) The applicant who is aggrieved by the decision of the Authority under these Regulations may, within fourteen days from the date of the decision, apply to the Authority for review, in accordance with the SUMATRA (Complaints and Review Procedure) Rules”

Amendment of  
regulation 32

3. The principal Regulations are amended by deleting Regulation 32 and substituting for it the following:

“Power to  
compound offences

32.-(1)  
Notwithstanding  
regulation 31, where a

person admits in writing that he has committed an offence under these Regulations, an authorized officer of the Authority may, at any time prior to the commencement of the hearing by a Court of competent jurisdiction, compound such offence and order such person to pay sum of money not exceeding one half of the amount of the fine to which such person would otherwise have been liable to pay if he had been convicted of such offence.

(2) Subject to sub-regulation (1), where an offence is compounded and proceedings are brought against the offender for the same offence, it shall be a good defence for the offender to prove to the satisfaction of the Court that the offence with which the offender is charged has been compounded under sub-regulation (1).”

Addition of new regulations 33, 34, 35, 36 and 37

4. The principal Regulations are amended by adding immediately after Regulation 32 the following new regulations:

“ Offences to be compounded

33.-(1) The Authority may compound offences as specified in the Third Schedule to these Regulations.

(2)

Notwithstanding sub-regulation (1), compounding amount of offences under these Regulations, shall be as provided in the Third Schedule of these Regulations.”

Notification of offences

34.-(1) The Authority shall, after identifying the offence contravening these Regulations, notify the offender electronically or manually in the Notification Form prescribed in the Fourth Schedule to these Regulation on the:

- (a) offence committed;
- (b) penalty under the relevant provision of these Regulations;
- (c) amount to be compounded as stated in these Regulations;
- (d) amount to be

compounded  
as stated in  
these  
Regulations;

(e) the date and  
manner in  
which such  
money shall be  
paid to the  
Authority; and

(f) any other  
information as  
the Authority  
may deem  
relevant.

(2) The offender  
may admit or refuse to  
have committed the  
offence to be compounded  
by signing the  
Notification Form as  
prescribed under the  
Fourth Schedule of these  
Regulations.

Mode of payment  
and defaults

35.-(1) Where the  
person admits the offence  
to be compounded, he  
shall pay the compounded  
amount within fourteen  
days to the Authority's  
bank account physically  
or electronically and  
submits the evidence of  
payment to the Authority  
Headquarters or Authority  
Regional Offices.

(2) Upon  
submission of the

payment evidence, the Authority shall issue an official receipt to the licensee in respect of payment received under sub regulation (1).

(3) Where the licensee fails to pay the compounded amount within the specified time, the Authority shall charge interest of five per centum and five per centum of the accrued amount after every thirty days.

Failure to pay compounded amount

36. Where a licensee fails to comply with the order to pay the compounded amount, the Authority may enforce the order in the same manner as a decree of a Court for the payment of the amount stated in the order.

Failure to sign Notification Form

37.-(1) Where a licensee does not agree with the offence alleged to have been committed, he shall, within seven days from the date of commission of such offence submit duly filled Notification Form to the Authority for court appearance.

(2) Where a licensee under sub-

regulation (1) fails to appear at the Authority within the prescribed time he shall be deemed to have admitted the offence and shall be required to pay the penalty as stipulated in these Regulations.”

Addition of new  
Third, Fourth and  
Fifth Schedules

5. The principal Regulations are amended by adding immediately after the Second Schedule the following new Schedules:

**“THIRD SCHEDULE**

*(Made under regulation 33)*

**THE UNITED REPUBLIC OF TANZANIA**

  
**S U M A T R A**

For Competitive, Efficient, Quality and Safe Transport Services

Surface and Marine Transport Regulatory Authority  
Mamlaka ya Udhhibiti Usafiri wa Nchi Kavu na Majini

**OFFENCES AND PENALTIES COMPOUNDED BY SUMATRA**

<b>No.</b>	<b>Nature of Offences</b>	<b>Regulation</b>	<b>Compounded Amount</b>
1.	Operating a goods carrying vehicle without a valid Carriers Licence.	30(a)	250,000/=
2.	Failure to report accidents to the Authority within seven days from the date of an accident involving goods carrying vehicle.	21	100,000/=
3.	Failure to exhibit or produce or surrender a licence upon being required to do so by an officer of the Authority.	30(b)&(e)	100,000/=
4.	Hindrance or obstructing an officer of the authority or a police officer of the rank of inspector to perform his duties under the act and these regulations.	30 (f)	250,000/=
5.	Being in possession of any document, plate or mark so closely resembling to a licence or any such document, plate or mark which is intended to deceive, forges or alters any entry in a record made under these Regulations.	30(g)	250,000/=



FOURTH SCHEDULE

(Made under regulation 34)

THE UNITED REPUBLIC OF TANZANIA



For Competitive, Efficient, Quality and Safe Transport Services

Surface and Marine Transport Regulatory Authority  
Mamlaka ya Udhhibiti Usafiri wa Nchi Kavu na Majini

NOTIFICATION AND COMPLIANCE FORM FOR DRIVERS

PARTICULARS OF OFFENCE

- ..... bearer of Driving Licence No. ....  
 Class ..... a driver of a public service vehicle with Reg. No ..... you are  
 charged with the offence(s) number(s) .....

Particulars of the offence:

That on the ..... day of ..... year.....

at (place)..... you (brief facts of the offence):

- (a) .....
- (b) .....
- (c) .....
- (d) .....

- If you DO NOT ADMIT to have committed the offence(s), complete part "A" of this Notification Form.
- If you ADMIT commission of the offence(s), complete part "B" of this Notification Form.
- The compounded amount SHALL be paid to the SUMATRA's bank account number .....

PART A: INTENTION TO ANSWER CHARGES

I ..... of (residential or business address)  
..... intend to answer in Court the charge  
for the commission of offence of ..... contrary to regulation  
..... of the Transport Licencing (Goods Carrying Vehicles) Regulations, 2012.

Name: .....

*Transport Licencing (Goods Carrying Vehicles) (Amendment)*

*GN. No. 420 (contd.)*

Signature: .....

**PART B: ADMISSION OF OFFENCE**

I ..... of (residential or business address)  
..... plea guilty to the offence of  
..... contrary to regulation .....  
of the Transport Licencing (Goods Carrying Vehicles) Regulations, 2012.

I request the offence(s) be compounded as per regulation ..... of the Transport Licencing (Goods Carrying Vehicles) Regulations, 2012.

I shall pay a fine of Tshs.....within fourteen (14) days from the date of this notification being the compounded amount of the offence(s).

Name: .....

Signature: .....

Identity No. ....

Issued by:

Region:

Witnessed by:

FIFTH SCHEDULE

(Made under regulation 34)

THE UNITED REPUBLIC OF TANZANIA



For Competitive, Efficient, Quality and Safe Transport Services

Surface and Marine Transport Regulatory Authority  
Mamlaka ya Udhhibiti Usafiri wa Nchi Kavu na Majini

NOTIFICATION AND COMPLIANCE FORM FOR LICENSEE

SECTION I: PARTICULARS OF OFFENCE

To: .....

Address: .....

1. You are charged with the offence of.....

Particulars of the offence(s) number(s):

That on the ..... day of ..... year.....

At (place)..... you (brief facts of the offence):

(a) .....

(b) .....

(c) .....

(d) .....

2. If you DO NOT ADMIT to have committed the offence(s), complete Section III "A" of this Notification Form.

3. If you ADMIT commission of the offence(s), complete Section III "B" of this Notification Form.

4. The compounded amount SHALL be paid to the SUMATRA's bank account number .....

SECTION II: PARTICULARS OF A DRIVER

I ..... bearer of Driving Licence No. .... Class ..... a driver of a public service vehicle with Reg. No ..... trading as ..... hereby acknowledge receipt of Notification No. .... for the offence No. .... and I undertake to submit the notification to the licensee of the above mentioned vehicle.

Signature ..... Date .....

*Transport Licencing (Goods Carrying Vehicles) (Amendment)*

*GN. No. 420 (contd.)*

Witness's Name ..... Signature .....  
Date ..... Region: .....

**SECTION III: PARTICULARS OF A LICENSEE**

**A: INTENTION TO ANSWER CHARGES**

I ....., a licensee of public service vehicle with Reg. No. ....  
..... of (residential or business address) .....  
..... admit receipt of this notification and intend to answer in Court the charge for the commission of offence of .....  
..... contrary to regulation .....  
of the Transport Licensing (Goods Carrying Vehicles) Regulations, 2012.

Name: .....  
.....

Signature: .....  
.....

**B: ADMISSION OF OFFENCE**

I ....., a licensee of public service vehicle with Reg. No. ....  
..... of (residential or business address) .....  
..... admit receipt of this notification and plea guilty to the offence of .....  
contrary to regulation ..... of the Transport Licensing (Goods Carrying Vehicles) Regulations, 2012.

I request the offence(s) be compounded as per regulation ..... of the Transport Licensing (Goods Carrying Vehicles) Regulations, 2012.

I shall pay a fine of Tshs.....within fourteen days (14) days from the date of this notification being the compounded amount of the offence(s).

Name: .....

Signature: .....

Identity No. ....

**Issued by:**

Dodoma,  
....., 2017

**MAKAME M. MBARAWA**  
*Minister for Works, Transport and Communications*