

**THE TANZANIA SHIPPING AGENCIES (SHIPPING  
AGENTS) REGULATIONS G.N. NO. 339 OF 2018**

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THE TANZANIA SHIPPING AGENCIES ACT, 2017  
(NO. 14 OF 2017)

**REGULATIONS**

*(Made under section 61(2)(g)(ii))*

THE TANZANIA SHIPPING AGENCIES (SHIPPING AGENTS)  
REGULATIONS, 2018

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THE TANZANIA SHIPPING AGENCIES ACT, 2017  
(NO. 14 OF 2017)

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*(Made under section 61(2)(g)(ii))*

THE TANZANIA SHIPPING AGENCIES (SHIPPING AGENTS)  
REGULATIONS, 2018

PART I  
PRELIMINARY PROVISIONS

- Citation 1. These Regulations may be cited as the Tanzania Shipping Agencies (Shipping Agents) Regulations, 2018.
- Application 2. These Regulations shall apply to shipping agents at sea ports and inland waterways ports in Mainland Tanzania.
- Interpretation 3. In these Regulations, unless the context otherwise requires-
- Act No. 14 of 2017 “Act” means the Tanzania Shipping Agencies Act;  
“agency fee, commission and service charges” means the remuneration paid to a shipping agent by a principal for performing shipping agency duties;  
“auxiliary shipping services” includes bunkering, water provision, ship repair, trimming, lashing, unlashng, gangway security, ship cleaning, cargo lining, garbage collection and disposal, fumigation of vessel, supply of spare parts and ship stores;  
“bill of lading” means a document issued by ocean carrier, or its agent or master of a ship on behalf of the carrier, to the shipper as a contract of carriage of



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- specified goods and confirms receipt for cargo accepted on board for transportation by the carrier and signifies title to goods by the holder upon its presentation, at specified destination, to the carrier or its agent;
- “charter or tramp services” means vessel engaged in bulk or general cargo shipment on time or voyage charter business;
- “Committee” means the Advisory Committee established under section 8 of the Act;
- “Corporation” means the Tanzania Shipping Agencies Corporation established under section 4 of the Act;
- “cruise ship” means a vessel carrying passengers for tourism purposes;
- “demurrage” means penalty charged against shipper or consignee or any other contractual party for delaying the carrier’s equipment or vessel beyond pre-agreed time;
- “freight collection” means payment of freight by the shipper or consignee to a shipping line through a shipping agent for carriage of goods;
- “licence” means a permit issued by the Director General to carry out the shipping agency business;
- “licensee” means a company issued with a licence under these Regulations to carry out the shipping agency business;
- “Minister” means the Minister responsible for maritime transport;
- “port disbursement” means bills or invoices raised by port terminal operator and other parties to cover for ship’s cost while in port and shall include stevedoring charges, port dues, pilotage, mooring and unmooring charges, storage and handling charge, navigational dues and tug services;
- “Regular Liner Services” means a service of ship calls habitually employed on a regular schedule and loading and discharging at specified ports;
- “Ro-Ro ship” means Roll-on and Roll-off ship designed to load and unload units of cars, road haulage units

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- and unitized cargo by way of moving the units on own wheels;
- “servicing or husbanding of vessel” means all activities connected with ship’s supplies and provisions and include provision of mail services, medical assistance, cash to master, food and stores and all other assistance provided to a vessel and crew for smooth operation of vessel in port and smooth stay of crew on board;
- “specific duration” means the period which the appointment of a shipping agent by a principal will last;
- “shipping agent” means the Corporation or a company engaged in providing shipping agency services for sea ports and inland waterways ports in Mainland Tanzania in accordance with the Act and these Regulations;
- “ship tallying services” means commercial services for verifying and counting individual cargo units or items previously reported in a cargo manifest or bill of lading or shipping order and are undertaken during loading or unloading on board ship or during stuffing of cargo into or de-stuffing from a container and includes preparation of statement of facts of a ship, submission of ship tally reports to relevant parties, and keeping records of accidents or incidents in relation to general cargo, dry bulk cargo, break bulk cargo, roll-on roll-off units, live animals, containerised cargo, or any cargo determined by the Corporation;
- “shipping order” means a document issued by the shipping agent to a shipper or agent of the shipper to confirm allocation of space on board a specified ship for specified export cargo thereby permitting the shipper or his agent to undertake export documentation process through customs, port terminal and other authorities;
- “supplementary shipping services” means shipping services including freight collection, demurrage

collection, car hire, boat hire, embarking or disembarking of crew, hospitalization of crew, handling of stowaways, deserters detained on board, repatriated or deceased persons and container monitoring; and  
“tanker” means a vessel designed to carry cargo which is in the form of liquid, gas or chemical.

PART II  
LICENCING PROCEDURES

Application for  
licence

4.-(1) Subject to section 6 of the Act, a company which intends to carry on business as a shipping agent shall apply to the Corporation in Form No 1 set out in the First Schedule to these Regulations.

(2) An application to carry on business as a shipping agent shall be accompanied with-

- (a) evidence of payment of application fees prescribed in the Second Schedule;
- (b) a certified copy of paid up share certificates of declared shareholders;
- (c) a certified copy of the certificate of incorporation;
- (d) a certified copy of Memorandum and Articles of Association;
- (e) a certified copy of a valid business licence;
- (f) a certified copy of the lease agreement or proof of occupancy of land of the office premises;
- (g) proof of information and communication technology applications relevant to shipping agency business;
- (h) copy of agency contract duly approved by the Corporation where the principal operates a regular liner service;
- (i) commitment letter to furnish the Corporation with copies of all charter parties



or agency terms for each vessel handled, where the principal operates tramp services; and

- (j) any other information as may be required by the Corporation for the purposes of dealing with the application.

(3) An application for licence or renewal of licence under these Regulations shall be made before the thirty first day of October of the preceding calendar year;

(4) A company that applies for a licence or renewal of licence after the time prescribed under sub regulation (3) but before the thirtieth day of November of the preceding year for which the licence is applied shall, in addition to the application fee, pay to the Corporation United States Dollar five thousand or its equivalent in Tanzanian shillings.

(5) The Corporation shall, upon expiry of the period prescribed under sub regulation (3), invite the general public by issuing a fourteen days' notice through widely circulated newspaper, to seek their opinion on applicants' suitability for licence before issuance of licence.

(6) The Corporation shall have mandate to summon a shareholder, director or manager of the applicant for interview in order to establish authenticity of information submitted by the applicant.

(7) Validity of a licence shall be one year counted from the first day of January.

Eligibility for licence

5. A company shall be eligible for licence if it-
- (a) is not a ship owner, ship operator or a ship charterer;
  - (b) possesses the prescribed qualifications for the proper carrying on the business of shipping agency provided under the Act and these Regulations;
  - (c) has a proper registered place of business in Mainland Tanzania;

- (d) has a director or shareholder who has not been convicted of-
  - (i) offence against national security;
  - (ii) offence against national economy;
  - (iii) offence involving non-payment or evasion of any tax or levy payable under any written law;
  - (iv) offence against corruption; and
  - (v) offence against decency or morality;
- (e) is incorporated under the Companies Act in which sixty per cent or more of the share capital is held by citizen of Tanzania; and
- (f) has complied with the provisions of the Act and these Regulations.

Licence fees

6.-(1) The annual fee for a licence shall be as prescribed under the Second Schedule.

(2) Where a licence is granted for the first time on or after-

- (a) the thirty first day of May and before the thirtieth day of November the licence fee payable shall be two thirds of the fee which is payable under sub regulation (1);
- (b) the thirtieth day of August and before the thirtieth day of November, the licence fee shall be one third of the fee which is payable under sub regulation (1).

Determination of application

7.-(1) The Corporation shall determine an application for licence within thirty days from the date of receipt of such an application.

(2) The Director General shall communicate the decision of the Corporation to the applicant using the address indicated in the application form, within the period specified in sub-regulation (1).

(3) Where the Corporation-

- (a) is satisfied that the provisions of regulations 4, 5 and 6 have been complied with, the Corporation shall issue the applicant with a

licence in the manner set out in Form No. 2 of the First Schedule; or

- (b) has refused an application for licence, the Corporation shall issue the applicant with a notice in a manner prescribed in Form No. 3 of the First Schedule.

Conditions of  
licence

8.-(1) A company that is granted a licence under these Regulations shall-

- (a) exhibit the licence in a conspicuous place in the registered business place;
- (b) maintain a level of solvency of 2:1;
- (c) apply tariff or charges approved by the Corporation;
- (d) carry out twenty four hour operations in all days, including weekends and public holidays;
- (e) maintain a performance efficiency level that conforms to performance indicators and benchmarks set by the Corporation in accordance with the Act;
- (f) establish a customer care system through which customers may make enquiries and lodge complaints;
- (g) furnish the Corporation with quarterly performance reports with details and in a format to be prescribed by the Corporation;
- (h) comply with the port safety and security requirements as provided by relevant legislation;
- (i) maintain books of accounts;
- (j) maintain a register of incidents and accidents related to services rendered under its agency;
- (k) inform the Corporation of any change in the particulars declared by the licensee within seven days of the change;
- (l) abstain from corrupt and fraudulent practices; and



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- (m) observe professional qualifications and conduct as provided in these Regulations.
- (2) A licensee may appoint not more than three foreign citizens as employees or representatives in managerial position.
- Duration of licence                    9. A licence shall, unless earlier cancelled or suspended, expire on the thirty first day of December of the year in respect of which that licence was issued.
- Renewal of licence                    10.-(1) A licensee who intends to renew his licence shall apply to the Corporation by filling Form No. 1 prescribed in the First Schedule.
- (2) An application for renewal of a licence shall be accompanied with-
- (a) copy of the agency contract duly approved by the Corporation where the principal operates a regular liner service;
- (b) commitment letter to furnish to the Corporation with copies of all charter parties or agency terms for each vessel handled, where the principal operates tramp services; and
- (c) written undertaking by the applicant on the change of-
- (i) number and composition of shipping lines represented by the applicant;
- (ii) composition of Board of Directors of the company;
- (iii) Shareholders and shareholding structure of the Company; or
- (iv) location of the registered office.
- Notice to show cause                    11.-(1) The Corporation shall, where it intends to suspend or revoke a licence, issue a twenty one days written notice as prescribed in Form No. 4 of the First Schedule requiring a licensee to show cause as to why the licence should not be suspended or revoked.



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(2) The notice under sub regulation (1) shall be considered to have been duly served to the shipping agent where it is:

- (a) served upon the licensee or his authorized representative;
- (b) legibly and conspicuously affixed at the registered premises of business of the licensee; or
- (c) e-mailed to a registered e-mail address of the licensee.

Suspension or revocation of licence

12.-(1) Where the Corporation is not satisfied with the cause given by a licensee in response to the notice under regulation 11, the Corporation may issue a notice to suspend or revoke the licence in a manner prescribed in Form No. 5 of the First Schedule.

(2) The notice to suspend a license shall specify the period of suspension.

Grounds of suspension or revocation of licence

13.-(1) The Corporation may suspend or revoke a shipping agency licence where the licensee-

- (a) fails to comply with the conditions of licence;
- (b) is subsequently ineligible for licence; or
- (c) fails to maintain prescribed paid up capital.

(2) The Corporation shall, prior to the suspension or revocation of a licence, state reasons for the suspension or revocation.

(3) Where the Corporation has suspended or revoked a licence in accordance with these Regulations, it shall serve the Commissioner for Customs, port terminal operator and dry port operator with a copy of the notice of suspension or revocation prescribed in Form No.5 of the First Schedule in order that they cease service to the licensee.

Lifting of suspension

14. -(1) The Corporation shall lift the suspension-

- (a) on expiration of the specified suspension

period; or

- (b) where the shipping agent fulfils the requirements stipulated in the suspension notice.

(2) Where suspension period expires without the shipping agent fulfilling the suspension requirements the Corporation may revoke the licence without further notice.

Loss, mutilation or destruction of licence

15. Where a licence issued under these Regulations is lost, mutilated or destroyed, the Corporation may, upon payment of a fee prescribed in the Second Schedule to these Regulations, issue a duplicate of the licence to the original licensee.

### PART III SHIP TALLYING SERVICES

Ship tallying services

16.-(1) It shall be mandatory for a ship owner, operator or charterer who engages in international shipping to arrange for ship tallying services for any cargo on board his ship which is discharged or loaded at Tanzania port.

(2) A ship owner, operator or charterer shall not assign ship tallying services to a person other than the Corporation in accordance with the Act and these Regulations.

(3) Ship tallying services shall involve confirmation of pre-documented information of cargo in relation to-

- (a) cargo description;
  - (b) cargo quantity;
  - (c) cargo condition;
  - (d) tonnage;
  - (e) package;
  - (f) marks and numbers indicated on cargo item;
  - (g) container number, size and type;
  - (h) number of the seal affixed on a container;
- and

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- (i) any other parameter as may be determined by the Corporation.

Tallying operations manual

17. The Corporation shall prepare tallying operations manual for the purpose of implementing tallying functions.

Place and time of tallying

18. The Corporation shall provide ship tallying services-

- (a) at the time of conducting operations of cargo discharge or loading while a ship is alongside; or  
(b) in case of stuffing and de-stuffing tallies, at such time and within a port terminal, dry port or any other place approved or directed by the Commissioner for Customs.

Notification of place and time for tallying

19. It shall be the responsibility of a shipping agent, cargo consolidator and de-consolidator, shipper or consignee as the case may be, to inform the Corporation an exact place and time where ship tallying services will be conducted and, in case of stuffing and de-stuffing tallies, submit documents evidencing approval of the Commissioner for Customs to carry out the tallying work at a stated place and time.

Records on tallying services

20. The Corporation shall conduct ship tallying services on each cargo unit passing through Mainland Tanzania sea port and inland waterways ports and make record of confirmed cargo details declared by shipping agent in a cargo manifest approved by the Corporation and, in case of export cargo, cargo details declared in shipping orders or customs declaration or any other relevant document.

Payment for tallying services

21. Owner of a ship carrying or nominated to carry cargo which is subject of ship tallying shall be responsible for the payment of ship tallying services rendered at the rate prescribed by the Corporation in



accordance with section 28(3) of the Act.

PART IV  
PROFFESIONAL QUALIFICATIONS AND CONDUCT

Professional  
qualifications

22. A shipping agent shall be considered to be professionally qualified if-

- (a) two or more of its staff have obtained the necessary experience in the profession by working in a responsible capacity with a qualified shipping agent for at least three years;
- (b) its staff have good standing and able to demonstrate good reputation and competency;
- (c) two or more of its staff have at least a diploma in shipping management or its equivalent; and
- (d) he complies with financial obligations relating to shipping fees, service provider levies and other fees and charges payables to the Corporation under these Regulations.

Adherence to  
professional  
conduct

23.-(1) When engaging in shipping agency business a licensee shall, adhere to professional conduct as follows-

- (a) not engage in clearing and forwarding business;
- (b) represent only the shipping line specified in the application form for grant of a licence or any other shipping line subject to notification to the Corporation;
- (c) discharge his duties to his principal with honesty, integrity and impartiality;
- (d) demonstrate a standard of competence in order to perform his functions in conscientious, diligent and efficient manner;
- (e) exercise due diligence and not engage in



- fraudulent practices;
- (f) exercise due care when handling monies on behalf of the principal;
- (g) observe any other professional conduct as may be directed by the Corporation; and
- (h) not to engage in the business of port terminal operator.

(2) A shipping agent who does not comply with the professional conduct commits an offence.

Disciplinary  
measures

24. A licensee who fails to comply with the professional conduct under this Part commits an offence and the Corporation shall take any of the following disciplinary measures against the licensee:

- (a) warning;
- (b) a requirement of any undertaking as to the shipping agents', individual shareholder's, director's or manager's future conduct or action;
- (c) award fine;
- (d) suspension of a licence; or
- (e) revocation of a licence.

#### PART V

#### CAPITAL AND OTHER REQUIREMENTS FOR SHIPPING AGENTS

Required capital

25. The amount of authorized capital required to establish a shipping agency business shall be:

- (a) in case of sea ports :
  - (i) not less than United States Dollars ten thousand or its equivalent in Tanzanian shillings for a company wholly owned by Tanzania citizen; or
  - (ii) not less than United States Dollars one hundred thousand or its equivalent in Tanzanian shillings for a company owned jointly by Tanzania citizen and foreigner; and
- (b) in case of an inland waterways port:

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- (i) not less than United States Dollars two thousand or its equivalent in Tanzanian shillings for a company wholly owned by Tanzanian citizen; or
- (ii) not less than United States Dollars twenty five thousand or its equivalent in Tanzanian shillings for a company owned jointly by Tanzanian citizen and foreigner.

Minimum paid up capital

26. A shipping Agent registered under these Regulations shall at all times maintain a minimum paid up share capital of sixty percent of the authorized capital.

Margin of solvency

27. A company carrying on business as a shipping agent shall at all times maintain a margin of solvency of 2:1.

Methods of calculating level of solvency

28. Method of calculating level of solvency specified in regulation 26 shall be as follows-

$$\text{Current Ratio} = \frac{\text{Current Assets}}{\text{Current Liabilities}}$$

Furnishing of statement, declaration or records

29. A shipping agent shall, upon request, make, subscribe and deliver to the Corporation a true statement of particulars, declaration or records by affidavit.

Performance of auxiliary shipping services

30. In arranging for provision of shipping agency services by a licensee as provided for under section 6 of the Act, the licensee shall assign auxiliary shipping service to a local company dully licensed by the Corporation to provide such service.

Implied terms of shipping agency

31. There shall be implied in every shipping agency contract the following terms-

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contract

- (a) the Corporation shall have the right of controlling all shipping documentations and parties shall remit all such documents to each other through the Corporation;
- (b) a shipping agent and a principal shall inform the Corporation of any request for release or cargo booking to export through Mainland Tanzania sea and inland waterways ports all consignments of minerals, mineral concentrates, machineries, equipment, products or extracts related to minerals and petroleum, arms and ammunitions, live animals and Government trophies prior to accomplishing the requested release or booking of cargo for shipment;
- (c) a shipping agent and a principal shall cooperate to ensure that the Corporation obtains reports and information requested by the Corporation in relation to shipping agency business; and
- (d) a shipping agent and a principal shall have the obligation to inform the Corporation of any act of either party to the contract which impinge or is likely to impinge on integrity requirements in the shipping business in Tanzania and a shipping agent and a principal admit to be liable jointly and severally in case of failure to inform the Corporation in accordance with this regulation.

Approval of  
shipping agency  
contract

32.-(1) A shipping agent shall submit to the Corporation a shipping agency contract for approval before signature.

(2) Where the Corporation is not satisfied with contents of the submitted contract it may make necessary correction and return the same to the shipping agent for compliance.



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Custody of shipping  
agency contract

33. A copy of signed contract shall be submitted to the Corporation for custody.

Non-compliance  
with shipping  
agency contract

34. A shipping agent who tempers with or who does not comply with the implied terms of shipping agency contract commits an offence and on conviction shall be liable to a fine of not less than twenty thousand US dollars but not exceeding forty thousand US dollars or its equivalent in Tanzania shillings or to imprisonment for a term of not less than three years but not exceeding five years or to both.

Maintenance of  
records

35. A shipping agent shall maintain the following operational records-

- (a) number of ships operated by principal and total bills of lading covered in such voyage;
- (b) number of ship calls by slot charterers and total bills of lading covered in such voyage;
- (c) number and names of consortia and partners;
- (d) number of TEU containers falling into demurrage by destination of cargo;
- (e) number of container unit by size subjected to deposit;
- (f) number of containers by size subjected to waiver;
- (g) number of containers by size subjected to cleaning;
- (h) number of containers subjected by size to fumigation;
- (i) number of empty container storage days in port terminal and empty container depot;
- (j) number of empty containers held in Mainland Tanzania empty container depot;
- (k) number of bills of lading covering shipments of products which are under exclusive mandate of the Corporation for clearing and forwarding under the Act;
- (l) number of ship calls consuming ship



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- handling services;
- (m) number of through bills of lading handed by destination; and
- (n) any other record as the Corporation may determine.

Corporation  
assuming functions  
of private shipping  
agent

36.-(1) Where the Director General has suspended or revoked a licence in accordance with the Act and these Regulations and the principal has not appointed another shipping agent, the Corporation shall as soon as practicable assume the functions of the private shipping agent whose licence has been suspended or revoked.

(2) Where the Corporation assumes the functions of shipping agency in accordance with sub regulation (1), the shipping agent whose licence has been suspended or revoked shall, within three days, hand over all necessary documents and information which shall enable the Corporation to assume its responsibilities.

(3) Where the Corporation has assumed the functions of a private shipping agent under this regulation, the principal may appoint another shipping agent by giving six months written notice to the Corporation.

(4) A shipping agent who fails to hand over documents or information required by the Corporation to assume its responsibilities, commits an offence and on conviction shall be liable to a fine of not less than twenty thousand US dollars but not exceeding forty thousand US dollars or its equivalent in Tanzania shillings or to imprisonment for a term of not less than three years but not exceeding five years or to both.

(5) Where the Corporation assumes the functions of a private shipping agent whose licence has been suspended or revoked in accordance with this regulation, the Corporation shall be paid by the principal all fees for shipping agency services performed for the principal and it shall be upon the

Corporation to determine and allot any share of such fees to the private shipping agent whose licence is suspended or revoked for any services which might have been provided by the private shipping agent prior to suspension or revocation of licence.

Compliance audit

37. The Corporation may, where it deems necessary, conduct audit on a shipping agent in order to ascertain the level of compliance with the Act and these Regulations by the shipping agent.

PART VI  
FEES AND CHARGES FOR GOODS DESTINED TO OR FROM  
TANZANIA

Shipping fees for cargo destined to or from Tanzania

38.-(1) A consignee, consignor, or their agents as the case may be shall pay fee for seaborne cargo destined to or from Tanzania loaded or discharged at any sea port or at entry points or cross-border points.

(2) The rate of shipping fees payable under this regulation shall be at the rates prescribed in the Third Schedule to these Regulations.

Shipping agent to collect shipping fees

39. Subject to regulation 38, a shipping agent shall, on behalf of the Corporation, collect shipping fees prescribed in the Third Schedule prior to release of cargo or issuing bill of lading to a consignee, consignor, or their agents.

Submission of shipping fees

40. The shipping agent shall, within thirty days from the date of arrival of a ship which discharged or loaded the cargo, submit to the Corporation the shipping fees collected in accordance with this Part.

Penalty for non-submission of shipping fees

41.-(1) A shipping agent who fails to submit shipping fees collected in accordance with regulation 39 shall, in addition to the shipping fee, pay a compounded interest at a rate of thirty percent per month.

(2) Notwithstanding sub-regulation (1), the Corporation shall, in addition to demanding collection of the shipping fees, take disciplinary measures against a shipping agent who fails to submit shipping fees for a bill of lading for a period exceeding six months.

PART VII

APPOINTMENT OF SHIPPING AGENT, MINIMUM COMMISSION, FEES AND SERVICE CHARGES

Agency service fee

42. A shipping agent shall charge a service fee approved by the Corporation for the services rendered by the shipping agent to the principal.

Appointment of shipping agent

43.-(1) A Principal wishing to provide services to any port in Mainland Tanzania shall appoint a shipping agent for the performance of shipping agency functions in accordance with Section 6 of the Act by way of:

- (a) a shipping agency contract; or
- (b) an appointment letter as the case may be.

(2) The appointment may be for a specific duration or on specific ship voyage.

(3) The details of appointment letter shall include the following particulars:

- (a) authorization of appointment as shipping agent;
- (b) name and physical address of the principal and the shipping agent;
- (c) details of the ship.

Payment of minimum agency commission, fees, and service charges

44. -(1) A principal shall pay to the shipping agent minimum agency fees for the following ship services-

- (a) regular liner services for imports and exports including Ro-Ro ship;
- (b) tankers;
- (c) charter or tramp services;
- (d) cruise ship; and



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(e) auxiliary shipping services.

(2) The following supplementary shipping services shall attract commission, fees and charges-

(a) freight collection;

(b) demurrage collection;

(c) car hire;

(d) boat hire;

(e) crew attendance;

(f) container monitoring; and

(g) cargo booking.

(3) In attending services not provided in these Regulations remuneration shall be paid at mutually agreed rates between principal and agent and the agent shall obtain prior written approval from the principal for such activities.

Agency  
commission, fees  
and service charges

45. -(1) The minimum agency commission, fees and service charges shall be as stipulated in the Fourth Schedule to these Regulations.

(2) A person who contravenes the provisions of this Part commits an offence and on conviction shall be liable to a fine of not less than twenty thousand US dollars but not exceeding forty thousand US dollars or its equivalent in Tanzania shillings or to imprisonment for a term of not less than three years but not exceeding five years or to both.

Document control  
charge

46. A principal shall pay to the Corporation a document control charge as may be determined by the Board in accordance with section 28(3) of the Act.

PART VIII  
ADVISORY COMMITTEE

Functions of  
Advisory  
Committee

47. The Advisory Committee established under section 8 of the Act shall have the following functions-

(a) to advise the Director General on the issuance and cancellation of shipping agency licences;

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*GN. NO. 339 (contd.)*

- (b) to provide assistance and advice to the Director General on responsibilities carried out by other government institutions on matters relating to shipping agency;
- (c) recommend on minimum standards of shipping agency contract;
- (d) to administer investigations of matters related to eligibility and qualification for licence by a licensee or licence applicant prior and after issuance of licence; and
- (e) advise the Director General on matters relating to shipping agency.

Tenure

48. The Committee members shall hold office for a term of two years renewable once, except that one member shall hold office for a term of three years renewable once.

Meetings

49.-(1) The Committee shall ordinarily meet twice a year at times and places as it deems necessary for transactions of business as required under the Act and these Regulations.

(2) The Chairman shall, by notice convene a meeting of the Committee.

(3) Notwithstanding sub-regulation (1), the Committee Chairman may convene extra-ordinary meeting as may be deemed necessary to perform the functions of the Committee.

Minutes

50. The Committee shall keep minutes of each meeting in proper form and shall be confirmed by the Committee at its next meeting.

Proceedings of  
Committee

51. The Committee shall appoint a Chairman among its members and shall have power to regulate its procedures in relation to its meetings and transactions of its business.

Compounding of offences

53.-(1) Notwithstanding the provisions of these Regulations relating to penalty, where a person commits an offence under these Regulations, the Corporation may, at any time prior to the commencement of the hearing by any court of any charge, compound such offence and order the person to pay sum of money, not exceeding half of the amount of the fine to which the person would otherwise have been liable if he had been convicted of such offence.

Provided that the Corporation shall not exercise its powers under this regulation unless the person concerned admits in writing to have committed such offence.

(2) Where the Corporation compounds an offence, the order referred to in sub-regulation (1)-

- (a) shall be reduced into writing and there shall be attached to it the written admission and request referred to in sub-regulation(1) and a copy of such order shall be given, if he so requests, to the person who committed the offence;
- (b) shall specify the offence committed, the sum of money ordered to be paid and the date on which payment is to be settled;
- (c) shall be final; and
- (d) may be enforced in the same manner as a decree of a court for the payment of the amount stated in the order.

Complaints handling

54. Where there is a dispute between a licensee and service consumer or any party involved in the shipping agency operations under these Regulations, the parties may resolve the dispute in accordance with the Tanzania Shipping Agencies (Complaints Handling) Regulations, 2018.



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(TASAC)

Form No. 1



FIRST SCHEDULE

(Made under regulation 4(1) and 10(1))

APPLICATION FOR A LICENCE TO CARRY ON BUSINESS AS A  
SHIPPING AGENT

1. Name of Applicant .....
2. Postal Address.....
3. Number of Certificate of Incorporation.....
4. Date of issue.....
5. Registered Place of Business.....  
Tel No..... Fax No: .....
- E-mail Address.....

6. Type of licence applied for (Please check one): Sea Port  Land Waterways
7. Particulars of shareholding:

Name	Nationality	Address	Percentage

8. What business other than that of shipping agency is carried on by the applicant?  
.....  
.....

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- .....
9. Is any of the shareholders and/or Director a ship owner or operator / character?  
 .....  
 .....
10. (a) Particulars of Principal operating regular Liner services to be represented (state whether principal is ship owner or operator)  
 Name of Principal.....  
 Ship owner/Operator.....  
 Address.....  
 Routes.....  
 (b) Particulars of Principal operating Non-Liner Services to be represented (state whether Principal is a ship owner or Operator or Charterer).  
 Name of ship-owner/operator/charterer .....  
 Address.....

11. Particulars of Previous Licence No: .....Year.....

12. Volume of cargo loaded and discharged in Tanzania by Lines represented by applicant in the last three years. (Please give break-down separately in respect of each year)

Year	Loaded in Metric Tons		Discharged in Metric Tons	
	General Cargo	Liquid Cargo	General Cargo	Liquid Cargo
1 <sup>st</sup>				
2 <sup>nd</sup>				
3 <sup>rd</sup>				

13. Reference on Company's Financial Resources and Liquidity: Evidence from Bank/ Financial Institution/ Auditor (Attach relevant document).  
 .....  
 .....

14. We declare that to the best of our knowledge, all the statements and attachments forming part of this application are true and correct. We undertake to notify any changes in the Board of Directors, shareholders, location of business premises or information related to the company.  
 Name in full: ..... Title: .....  
 Signature.....  
 Date.....

(Stamp or Seal)



*Tanzania Shipping Agencies (Shipping Agents)*

*GN. NO. 339 (contd.)*

Form No. 2



**THE UNITED REPUBLIC OF TANZANIA  
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TANZANIA SHIPPING AGENCIES  
CORPORATION  
TASAC**



\_\_\_\_\_  
*(Made under regulation 7(3)(a))*  
\_\_\_\_\_

Licence No.: .....

**LICENCE TO CARRY ON THE BUSINESS AS SHIPPING AGENT**

**SHIPPING AGENT NO:** .....

**M/s:** ..... of P.O.  
Box ..... is hereby authorized to carry on the Business  
of Shipping Agency in Mainland Tanzania.

This Licence shall be valid from ..... to .....

Licence Fees USD ..... Paid vide Receipt No.: ..... of .....

Late application Fees USD ..... Paid vide Receipt No.: ..... of .....

.....  
**Director General**  
(Signature and Rubber stamp or seal)

Date of issue: .....

**Important:** This licence is not transferrable



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\_\_\_\_\_  
(Made under Regulation 7(3)(b))

\_\_\_\_\_  
**REFUSAL TO GRANT LICENCE**

To:.....

You are hereby notified that your application for a shipping agency licence under the Tanzania Shipping Agencies Act No. 14 of 2017 has been REFUSED for the following reasons -

- (1) .....
- (2) .....
- (3) .....
- (4) .....
- (5) .....

However, your application may be reconsidered under the following conditions -

- (1) .....
- (2) .....
- (3) .....
- (4) .....
- (5) .....

Dated at ..... this..... day of ..... 20.....

Director General  
TANZANIA SHIPPING AGENCIES CORPORATION



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(Made under Regulation 11(1))

NOTICE TO SHOW CAUSE

To:

M/S ..... with Licence No.....

I hereby give you a notice pursuant to the provisions of the Tanzania Shipping Agencies Act No. 14 of 2017, that on expiry of ..... days from the date hereof, I intend to suspend/revoke your licence of carrying out the business of shipping agency under the said Act unless, before expiry of such period, cause is shown to my satisfaction why such licence should not be suspended/cancelled.

The grounds on which I intend to suspend/revoke your licence are:

- (1) .....
- (2) .....
- (3) .....
- (4) .....
- (5) .....
- (6) .....

Dated at ..... this..... day of ..... 20.....

Director General  
TANZANIA SHIPPING AGENCIES CORPORATION



*Tanzania Shipping Agencies (Shipping Agents)*

GN. NO. 339 (contd.)

Form No. 5



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*(Made under Regulation 12(1))*

**SUSPENSION/ REVOCATION OF LICENCE**

To: M/S.....  
.....

You are hereby informed that your licence as a shipping agent under the Tanzania Shipping Agencies Act No. 14 of 2017, is hereby SUSPENDEND/REVOKED with effect from.....

The grounds for suspension/cancellation are:

- (1) .....
- (2) .....
- (3) .....
- (4) .....
- (5) .....

Dated at ..... this..... day of ..... 20.....

Director General  
**TANZANIA SHIPPING AGENCIES CORPORATION**

*Tanzania Shipping Agencies (Shipping Agents)*

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SECOND SCHEDULE

*(Made under Regulation 4(2)(a), 6(1) and 15)*

**SHIPPING AGENCY APPLICATION AND LICENCING FEES**

<b>DESCRIPTION</b>	<b>AMOUNT (USD)</b>
<b>Application fees:</b>	50.00
<b>Annual licence fees:</b>	
Inland waterways port agent	500.00
Sea port agent	3000.00
<b>Duplicate licence fees:</b>	
Inland waterways port agent	50.00
Sea port agent	350.00

Tanzania Shipping Agencies (Shipping Agents)

GN. NO. 339 (contd.)



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THIRD SCHEDULE

(Made under Regulation 38(2))

SHIPPING FEES FOR SEABORNE CARGO DESTINED TO OR FROM TANZANIA

IMPORTS							
Route	Petroleum & Products	Dry bulk	Liquid bulk	General cargo			
				Loose, Machinery & vehicles	Containerised		
					TEU (20') Standard	FEU (40') Standard	FEU (40') High Cube
Rate per ton (in USD)	Rate per ton (in USD)	Rate per ton (in USD)	Rate per freight ton (in USD)	Rate per container (in USD)			
USA/CANADA/SOUTH AMERICA	0.43	0.43	1.07	2.49	49.84	99.67	124.59
FAREAST/CHINA/MALAYSIA/SINGAPORE/THAILAND	0.43	0.43	1.07	2.49	49.84	99.67	124.59
AUSTRALIA/NEW/ZEALAND	0.43	0.43	1.07	2.49	49.84	99.67	124.59
NWC/UK (EUROPE)	0.36	0.36	0.71	2.14	42.72	85.43	106.79
INDIA & PAKISTAN	0.43	0.43	0.71	2.14	42.72	85.43	106.79
ARABIA GULF/PERSIA	0.36	0.36	0.36	1.07	21.36	42.72	53.40
SOUTH AFRICA	0.36	0.36	0.36	1.07	21.36	42.72	53.40
OTHERS (INCLUDING) EAST & WEST AFRICA	0.36	0.36	0.36	1.07	21.36	42.72	53.40
EXPORTS							
ROUTE	NON-CONTAINERISED CARGO			CONTAINERISED			
ALL DESTINATIONS	RATE PER TON (IN USD) 0.36			TEU (20') Standard	FEU (40') Standard	FEU (40') High Cube	
				RATE PER CONTAINER			
				7.12	14.24	35.60	



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*Tanzania Shipping Agencies (Shipping Agents)*

*GN. NO. 339 (contd.)*

(Act No 14 of 2017)

FOURTH SCHEDULE

*(Made under Regulation 45(1))*

**MINIMUM AGENCY COMMISSION, FEES AND CHARGES**

	<i>Type of services</i>	<i>Minimum Commission fees and charges</i>
1	Regular liner including RO-RO ships.	Exports: (i) 3.5% on gross freight for cargo booked by shipping agent. (ii) 2.5% on gross freight for cargo booked by principal. Imports: (i) 3.5% on gross freight for cargo booked by shipping agent. (ii) 2.5% on gross freight for cargo booked by the principal.
2	Charter or tramp service excluding tankers and cruise ships.	(i) USD 1,500 = for the first three days, thereafter USD 250 = per day. (ii) Bulk cargo: 2.5% on gross freight booked by shipping agent.
3.	Tankers	(i) USD 1,500 = for Tankers loading or discharging 5,000Metric tons and above per call. (ii) USD 600 = for tankers loading or discharging less than 5,000 Metric tons per call.
4	Cruise ships	Passenger: USD 1,500 = for the three days, thereafter USD 250 = per day.
5	Other Supplementary Services (Charges cover agency fees or professional services rendered by agents and exclude running costs)	(i) Freight collection: 1% of collected amount. (ii) Container demurrage collection 5% of amount collected. (iii) Car hire: 5% of actual payment. (iv) Boat hire: 5% of actual payment. (v) Crew attendance: (a) Embarking/disembarking: USD 50 per crew. (b) Hospitalisation: USD 30 per officer/crew per day. (c) Arranging fumigation of vessel: USD 200 = per incident. (d) Attending stowaways and or deserters detained on board or repatriated or deceased personnel = USD 100 = per person. (vi) Container monitoring and retrieval USD 10 per box (in/out) on principal's request. (vii) Transshipment: USD 15 per box. (viii) Ships calling solely for bunkers or water provision: USD 750 for the first day and thereafter USD 200 per day.

Dodoma,  
18<sup>th</sup> July, 2018

ISACK A. KAMWELWE  
*Minister for Works, Transport and Communication*