

GOVERNMENT NOTICE NO. 327 published on 5/5/2023

THE MERCHANT SHIPPING ACT,  
(CAP. 165)

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**REGULATIONS**

*(Made under section 157)*

THE MERCHANT SHIPPING (MEDICAL EXAMINATIONS) REGULATIONS,  
2023

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*Regulation Title*

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THE MERCHANT SHIPPING ACT,  
(CAP. 165)

REGULATIONS

*(Made under section 157)*

THE MERCHANT SHIPPING (MEDICAL EXAMINATIONS) REGULATIONS,  
2023

PART I  
PRELIMINARY PROVISIONS

- Citation 1. These Regulations may be cited as the Merchant Shipping (Medical Examinations) Regulations, 2023.
- Application 2.-(1) Except where expressly provided otherwise, these Regulations shall apply in respect of giving effect to the International Convention on Standards of Training, Certification and Watchkeeping of 1978 as amended and the Maritime Labour Convention, (MLC 2006) as amended.
- (2) Without prejudice to the generality of subregulation (1), these Regulations shall apply to-
- (a) a seafarer or master who holds a valid medical certificate and a holder of Tanzania Certificate issued under the Merchant Shipping (Training, Certification and Manning) Regulations irrespective of the size of a ship on which he is working or intends to work; and
- (b) a seafarer or master on seagoing ships which are not Tanzanian ships, when they are in a Tanzanian port.
- (3) Notwithstanding the provisions of subregulation (2), these Regulations shall not apply to-
- (a) pleasure vessels;
- (b) fishing vessels;
- (c) warships or naval auxiliaries;
- (d) vessels owned and operated by a Government department or agency for non-commercial purposes; and
- (e) offshore installations whilst on their working stations.
- GN. No. 243 of 2016
- Interpretation 3. In these Regulations, unless the context otherwise requires-

- Cap. 165 “Act” means the Merchant Shipping Act;  
“Corporation” means the Tanzania Shipping Agencies Corporation established in accordance with section 4 of the Tanzania Shipping Agencies Act;  
“master” means a person, except a pilot, having command or charge of a ship, seaplane or other craft when it is on or in close proximity to the water;  
“medical fitness certificate” means a seafarer medical certificate issued under these Regulations;
- Cap. 152 “medical practitioner” has a meaning ascribed under the Medical, Dental and Allied Health Professionals Act;  
“medical referee” means one of the medical practitioners appointed by the Registrar to deal with seafarer or master review in accordance with regulation 21 of these Regulations;  
“Notice” means a Merchant Shipping Notice issued by the Registrar;  
“owner” in relation to a ship, or “ship owner” means, in respect of a registered ship, the registered owner and includes a demise charterer and managing owner or a managing agent;
- Cap. 415 “Registrar” means the Registrar appointed under section 31 of the Tanzania Shipping Agencies Act;  
“seafarer” includes every person except a master, pilot or apprentice duly contracted or indentured and registered, employed or engaged in any capacity on board a ship;  
“ship” means a floating vessel which is self-propelled and capable of carrying passengers or cargo including every description of vessel used in navigation; and  
“STCW Convention” means the International Convention on Standards of Training, Certification and Watchkeeping of 1978 as amended.

PART II  
APPOINTMENT, QUALIFICATIONS AND PREMISES OF MEDICAL  
PRACTITIONER

Appointment of  
medical  
practitioner

4.-(1) The Corporation may appoint a medical practitioner for the purpose of conducting examination of seafarer or master for determining medical fitness.

(2) Subject to subregulation (1), a medical practitioner appointed shall have a practise experience of not less than five years.

(3) A medical practitioner who wishes to be

appointed shall submit to the Corporation the following documents-

- (a) relevant academic certificates; and
- (b) a certificate of registration issued by the relevant medical accreditation body.

(4) The Corporation may, in verifying the authenticity and validity of the documents submitted in support of the application, require the medical practitioner to provide additional information as it may deem necessary.

(5) The Corporation shall enter into a written agreement with appointed medical practitioner in relation to administration and provision of seafarer medical examination.

Suspension or cancellation of appointment of medical practitioner

5.-(1) The appointment of a medical practitioner may be suspended or cancelled in writing by the Corporation-

- (a) based on the recommendation made in an investigation or audit report by the relevant authority;
- (b) when a medical practitioner transfers or relocates his medical practice to a different premise or facility without notifying the Corporation;
- (c) where, in the opinion of the Corporation, the circumstances warrant such, suspension or cancellation;
- (d) upon the medical practitioner registration being invalidated by the relevant medical accreditation body; or
- (e) where the medical practitioner fails to comply with these Regulations.

(2) Where the Corporation decides to suspend or cancel the appointment of the medical practitioner, it shall issue a thirty days written notice.

(3) In the case of suspension the Corporation shall specify the period of suspension or the conditions upon which fulfilment shall lead to uplifting of suspension.

Facility or premises for medical examination

6.-(1) Examination of medical fitness of seafarer or master shall be conducted in a premise which is registered by the relevant authority.

(2) The premises shall have the facility and equipment required to carry out medical fitness examination and be conveniently situated for ease of access.

(3) The Corporation shall conduct inspection of the premises and facility to verify suitability in conducting medical fitness examination.

Transfer of location

7.-(1) A medical practitioner who intends to transfer his services to another location shall inform the Corporation in writing not less than five days of such changes.

(2) The Corporation shall, upon receipt of the information in subregulation (1), conduct verification of the premises or facility within fourteen days.

PART III  
MEDICAL FITNESS CERTIFICATE

Employment of seafarer

8.-(1) A ship owner or master shall employ a seafarer who holds a valid medical fitness certificate appropriate for the area in which the ship is to operate or for the job on which seafarer is to be employed as prescribed in the First Schedule.

(2) A seafarer shall be considered to be medically fit where-

- (a) he has a valid medical fitness certificate;
- (b) there is no evidence that his medical condition has changed since the previous medical examination to an extent that would make him unfit to perform his duties as required; or
- (c) it is proved that he holds a recent expired medical certificate and it is possible for the seafarer to be examined and obtain a medical fitness certificate at the next port of call.

(3) Where the medical fitness certificate of a seafarer expires during the course of a voyage, a ship owner or master may continue to employ the seafarer-

- (a) for a period not exceeding three months from the date of expiry of the medical fitness certificate, or
- (b) until the next port of call where the seafarer can be examined and obtain a medical fitness certificate, provided that he holds a recent expired medical certificate,

whichever comes earlier.

(4) The Registrar may permit a seafarer, who is the holder of a medical fitness certificate which expired within a month before the date on which the seafarer joined a ship to which these Regulations apply, to be employed despite the expiry of the certificate, until the next port of call where a seafarer shall obtain a medical fitness certificate in accordance with these Regulations:

Provided that, the period of such permission shall not exceed three months.

(5) A ship owner or master who contravenes the

provisions of subregulation (1) commits an offence and upon conviction shall be liable to a fine of not less than two thousand United States dollars or its equivalent in Tanzania shillings.

Eligibility to obtain medical fitness certificate

9.-(1) A seafarer or master who intends to obtain medical fitness certificate shall-

- (a) be at least 18 years of age
- (b) provide satisfactory proof of seafarer identity; and
- (c) be medically examined to ascertain his fitness, having regard to the medical standards as specified in regulation 10.

(2) Notwithstanding the provision of subregulation (1), a seafarer under the age of 18 years but above 16 years may obtain a medical fitness certificate for the purpose of onboard training.

(3) The medical fitness certificate shall-

- (a) be in English language and in a format as set out in the First Schedule; and
- (b) provide information whether an applicant is fit or unfit to carry out the work of a seafarer for which he is employed.

(4) Where colour vision is in doubt, the medical practitioner may, having regard to the duties to be performed at sea by the seafarer or master, proceed to conduct the confirmatory colour vision test-

- (a) using a centre designated by the Corporation; and
- (b) in accordance with the eyesight minimum standards for seafarer or master.

Standard of medical fitness

10.-(1) The medical examination of seafarer or master for issuance of Medical Fitness Certificate shall consider the standards for-

- (a) eyesight and vision; and
- (b) hearing.

(2) Subject to the provisions of subregulation (1), the standards shall be as set out in the Second Schedule these Regulations.

(3) The eyesight and colour vision test carried out shall be valid for a period not exceeding six years.

(4) The Corporation may designate a place for a referral centre for the purposes of assessing colour vision in order to provide a medical practitioner with the information necessary to issue medical fitness certificate.

Validity of

11. The validity of medical fitness certificate shall be

- certificate as follows:
- (a) for a seafarer who has not attained the age of eighteen years, for a period not exceeding one year; and
  - (b) for a seafarer who has attained the age of eighteen years, for a period not exceeding two years.
- Possession of medical fitness certificate
12. A seafarer or master who has been issued with a medical fitness certificate shall-
- (a) ensure that the original certificate is in his possession at all times when on board during the term of his employment; and
  - (b) produce the certificate when requested to do so by an inspector or surveyor.
- Recognition of medical fitness certificate issued by other State
13. A medical fitness certificate issued by the authority of the Government of other State giving effects to the provisions of the STCW Convention or a State specified in a Merchant Shipping Notice shall be equivalent to a medical fitness certificate issued under these Regulations.
- Suspension or cancellation of medical fitness certificate
- 14.-(1) The Corporation may-
- (a) suspend the certificate until such time the seafarer has undergone further medical examination and being approved accordingly;
  - (b) suspend the certificate for such reasonable period that the seafarer will remain unfit to go to sea as recommended by medical practitioner; or
  - (c) cancel the certificate where the medical practitioner recommends that the seafarer will remain permanently unfit to go to sea.
- (2) The Corporation shall suspend or cancel the certificate where it has reasonable grounds to believe that-
- (a) there has been a significant change affecting the medical fitness of a seafarer or master during the period of validity of his medical fitness certificate; and
  - (b) a medical fitness certificate was issued to a seafarer or master otherwise than in accordance with these Regulations.
- (3) Where the Corporation suspends or cancels a certificate under this regulation, it shall notify the seafarer or master of the decision in writing.
- (4) The Corporation shall direct a seafarer or master whose certificate has been suspended or cancelled under



subregulation (1) to surrender the certificate to the Corporation within seven days.

(5) In the case of suspension, the Corporation shall specify the period of suspension or the conditions upon which fulfilment shall lead to uplifting of suspension.

Certificate of competency or proficiency

15. A medical fitness certificate issued under these Regulations shall be accepted as evidence of medical fitness for a seafarer or master seeking award or revalidation of a certificate of competency or certificate of proficiency.

PART IV  
OFFENCES AND PENALTIES

Offences under these Regulations

16.-(1) Any person who contravenes the provisions of these Regulations by-

- (a) employing a seafarer who does not have a valid certificate appropriate for the area where he shall work on the ship;
- (b) produce incorrect information or incorrect documents;

commits an offense and if he is convicted he will be liable to pay a fine not less than the value of Tanzanian Shillings equal to five thousand US Dollars or imprisonment not exceeding six months or both.

(2) A medical practitioner who issues a medical fitness certificate-

- (a) without been appointed by the Corporation;
- (b) when his appointment to provide services to seafarers has been terminated or cancelled by the Corporation,

commits an offense and if he is convicted he will be liable to pay a fine not less than the value of Tanzanian Shillings equal to five thousand US Dollars or imprisonment not exceeding six months or both.

(3) A seafarer or master who fails to comply with the provisions of these Regulations commits an offence and upon conviction shall be liable to a fine of not less than two thousand United States dollars or its equivalent in Tanzania Shillings.

General penalty

17. Where a person commits an offence under these Regulations for which no specific penalty is prescribed, such person shall on conviction be liable to the penalty prescribed in the Act.

PART V  
GENERAL PROVISIONS

- Quality standards system 18.-(1) The Corporation shall monitor medical certification activity through the Quality Standards System  
(2) The Quality Standards System shall establish minimum procedures for-  
issuance of medical certificates;  
appointment of a medical practitioner; and  
review of the decision of the Corporation.
- Seafarer or master medical record 19.-(1) Copies of the seafarer or master medical certificates shall be kept in the files of the medical practitioner premises or facility in which it was issued and clearly marked as confidential and retained.  
(2) Medical examination records shall-  
(a) be kept confidential;  
(b) be used for determining the fitness of the seafarer or master for work and for enhancing health care;  
(c) be made available only to person duly authorized; and  
(d) not be used for any purpose other than facilitating the treatment of a seafarer or master.  
(3) The medical record shall not be disclosed to any other person without prior written consent of the seafarer or master.
- Register of medical practitioners 20.-(1) The Corporation shall-  
(a) keep and maintain a Register which shall contain particulars in respect to medical examination for purposes of these Regulations; and  
(b) make the Register available on request, to any State, company, seafarer.  
(2) The particulars in the Register referred to under subregulation (1) shall include-  
(a) particulars of medical practitioner appointed under these Regulations; and  
(b) name of States whose certificates are recognised by the Corporation.
- Complaint handing 21.-(1) A seafarer or master who is aggrieved by the decision under regulation 14 may apply to the Corporation for the matter to be reviewed by a medical referee as prescribed in the Third Schedule.

(2) Subject to subregulation (1), the application for review shall be submitted to the Corporation within thirty days from the date on which the decision was issued.

(3) The Corporation shall, upon receipt of the application for review, consider the application and communicate its decision to the applicant within fourteen days.

Revocation and  
savings  
GN. No.  
244 of 2016

22.-(1) The Merchant Shipping (Medical Examination) Regulations are hereby revoked.

(2) Notwithstanding subregulation (1), a medical fitness certificate issued to a seafarer or master under the Merchant Shipping (Medical Examinations) Regulations shall continue to be in force until the expiry date specified in the certificate.



THE UNITED REPUBLIC OF TANZANIA  
 MINISTRY OF WORKS AND TRANSPORT  
 TANZANIA SHIPPING AGENCIES CORPORATION  
 TASAC



FIRST SCHEDULE

(Made under regulation 9(3))

CERTIFICATE OF MEDICAL FITNESS

This certificate is issued in compliance with

- (a) The Merchant Shipping (Training, Certification and Manning) Regulations, GN. NO. 243 of 2016;
- (b) The Merchant Shipping (Maritime Labour) Regulations, GN. NO 228 of 2022;
- (c) The Merchant Shipping (Medical Examinations) Regulations, 2023;
- (d) regulation I/9 of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978, as amended (STCW); and
- (e) regulation 1.2 of the Maritime Labour Convention, (MLC 2006).

Particulars of seafarer or master:

Last name: ..... First name ..... Middle name.....

Date of birth (day/month/year ...../.../... Gender: Male Female

Permanent address: .....



Identity document type:..... No.: ..... Nationality: .....

Other (specify): .....



I have evaluated the above named applicant according to the seafarer's medical fitness standards and certification requirements established in accordance with the provision of regulation I/9 of the STCW Convention 1978 as amended and regulation 1.2 of the Maritime Labour Convention 2006 as amended.

On the basis of the applicant's personal declaration, my clinical examination and diagnostic test results recorded on the medical examination form, I declare the applicant is:

<b>Fit:</b> <input type="checkbox"/>	
<b>Unfit:</b> <input type="checkbox"/>	
<b>With restrictions as detailed below:</b> .....	
<b>Details of any limitation or restrictions:</b> .....	
<b>List any medications prescribed:</b> .....	
I can confirm the following: (tick the relevant box)	
Eyesight:	<input type="checkbox"/>
<b>Meets visual acuity</b>	Yes <input type="checkbox"/>
	No <input type="checkbox"/>
	Spectacles <input type="checkbox"/>
	Contact lenses <input type="checkbox"/>
	Standards aids <input type="checkbox"/>
<b>Meets colour vision</b>	Yes <input type="checkbox"/>
	No <input type="checkbox"/>
Date of last colour vision test: /...../.....	
(Note: colour vision test is not required for national engineering certificates)	
<b>Hearing:</b>	
	Yes <input type="checkbox"/>
	No <input type="checkbox"/>
<b>Lookout duties</b> (deck department only)	
	Yes <input type="checkbox"/>
	No <input type="checkbox"/>
<b>Meets hearing standards</b>	Yes <input type="checkbox"/>
	No <input type="checkbox"/>
	Satisfactory <input type="checkbox"/>
<b>Aided hearing</b>	Yes <input type="checkbox"/>
	No <input type="checkbox"/>
<b>Fit for lookout</b>	Yes <input type="checkbox"/>
	No <input type="checkbox"/>
<b>Satisfactory duties:</b> ..... .....	
Date of examination: ...../...../..... Place of examination.....	

Certificate date of expiry: ...../...../.....
Name of Medical Practitioner .....
Medical Practitioner Signature: ..... Official Stamp: .....
I acknowledge that I have been advised on the content of the medical examination report and my right to seek a review of the content of this certificate. In the event of a change of my medical state, I acknowledge the validity of this certificate should be reviewed by an medical practitioner.
Applicant's signature: ..... (signed in the presence of the medical practitioner)
 <p><b>THE UNITED REPUBLIC OF TANZANIA</b> MINISTRY OF WORKS AND TRANSPORT <b>TANZANIA SHIPPING AGENCIES CORPORATION</b> <b>TASAC</b></p> 
<b>SECOND SCHEDULE</b>

(Made under regulation 10)						
<b>GUIDELINES ON THE MEDICAL EXAMINATION OF SEAFARERS</b>						
<b>A. MINIMUM IN-SERVICE EYESIGHT STANDARDS FOR SEAFARERS</b>						
Category of seafarer	Distance vision aided <sup>1</sup>		Near/intermediate vision	Colour vision <sup>3</sup>	Visual fields <sup>4</sup>	Night blindness <sup>4</sup>
	One eye	Other eye	Both eyes together, aided or unaided			
Masters, deck officers and ratings required to undertake look-out duties	0.5 <sup>2</sup>	0.5	Vision required for ship's navigation (e.g. chart and nautical publication reference, use of bridge instrumentation and equipment, and identification of aids to navigation)	See Note 6	Normal visual fields	Vision required to perform all necessary functions in darkness without compromise
All engineer officers, electro technical officers, electro technical ratings and ratings or others forming part of an engine room watch	0.4 <sup>5</sup>	0.4 (see Note 5)	Vision required to read instruments in close proximity, to operate equipment, and to identify systems/components as necessary	See Note 7	Sufficient visual fields	Vision required to perform all necessary functions in darkness without compromise
GMDSS radio operators	0.4	0.4	Vision required to read instruments in close proximity, to operate equipment, and to identify systems/components as necessary	See Note 7	Sufficient visual fields	Vision required to perform all necessary functions in darkness without compromise

<p><b>Notes:</b></p> <p><sup>1</sup> Values given in Snellen decimal notation.</p> <p><sup>2</sup> A value of at least 0.7 in one eye is recommended to reduce the risk of undetected underlying eye disease.</p> <p><sup>3</sup> As defined in the <i>International Recommendations for Colour Vision Requirements for Transport</i> by the Commission Internationale de l'Eclairage (CIE-143-2001, including any subsequent versions).</p> <p><sup>4</sup> Subject to assessment by a clinical vision specialist where indicated by initial examination findings. <sup>5</sup> Engine department personnel shall have a combined eyesight vision of at least 0.4.</p> <p><sup>6</sup> CIE color vision standard 1 or 2.</p> <p><sup>7</sup> CIE color vision standard 1, 2 or 3.</p>
<p><b>B: HEARING STANDARDS</b></p>
<p><b>1. Testing</b></p> <p>Hearing capacity for seafarers shall be an average of at least 30 dB (unaided) in the better ear and an average of 40 dB (unaided) in the less good ear within the frequencies 500, 1,000, 2,000 and 3,000 Hz (approximately equivalent to speech-hearing distances of 3 metres and 2 metres, respectively).</p>
<p><b>2. Testing</b></p> <p>Hearing capacity for seafarers shall be an average of at least 30 dB (unaided) in the better ear and an average of 40 dB (unaided) in the less good ear within the frequencies 500, 1,000, 2,000 and 3,000 Hz (approximately equivalent to speech-hearing distances of 3 metres and 2 metres, respectively).</p>
<div style="display: flex; justify-content: space-between; align-items: center;"><div data-bbox="402 1356 565 1499"></div><div data-bbox="613 1367 1203 1482" style="text-align: center;"><p><b>THE UNITED REPUBLIC OF TANZANIA</b> <b>MINISTRY OF WORKS AND TRANSPORT</b> <b>TANZANIA SHIPPING AGENCIES CORPORATION</b> <b>TASAC</b></p></div><div data-bbox="1247 1331 1425 1491"></div></div> <p style="text-align: center;"><b>THIRD SCHEDULE</b> <i>(Made under regulation 21(1))</i></p>



TSC-DMSE-SMERRF																																									
<b>SEAFARER OR MASTER MEDICAL EXAMINATION RESULTS REVIEW FORM</b>																																									
A. APPLICANT PARTICULARS																																									
Passport No / CDC No. (Discharge book)	Date of Birth																																								
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<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 25%; padding: 2px;">Full Name Mr</td><td style="width: 25%; padding: 2px;">Mrs</td><td style="width: 25%; padding: 2px;">Ms</td><td style="width: 25%; padding: 2px;">Miss</td></tr></table>		Full Name Mr	Mrs	Ms	Miss																																				
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Place of Birth (Town and Country)																																									
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Town		Country																																							
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Permanent Address (for contact)																																									

*Merchant Shipping (Medical Examinations)*

*GN NO. 327 (Contd)*

House Number	Street	P.O. Box	Town City	
Region	Postcode	Country		
Delivery Address (if different from above)				
House Number	Street	P.O. Box	Town City	
Region	Postcode	Country		
Telephone Numbers				
Home		Other		
E-mail Address				
<b>B. EXAMINATION FOR DUTY IN: Please tick appropriate department</b>				
<input type="checkbox"/>	Deck	Engine	Catering	
Other (specify): .....				
Date of conducted medical examination being applied for review: .....				
<b>APPLICANT'S SIGNATURE AND PHOTOGRAPH</b>				
Please use a black pen to sign				
		Photograph		
		Attach		
		Photograph of yourself here		
<b>C. REASONS FOR REVIEW</b>				



Remarks: ..... ..... ..... ..... ..... .....	
..... Signature	..... Date
<b>PART B: RECOMMENDATION BY MANAGER OF SEAFARERS</b>	
This application is recommended <input type="checkbox"/> not recommended <input type="checkbox"/>	
Remarks: ..... ..... .....	
..... Signature	..... Date
<b>PART C: APPROVAL BY REGISTRAR OF SEAFARERS</b>	
This application is approved <input type="checkbox"/> not approved <input type="checkbox"/>	
Remarks: ..... ..... .....	
.....	

Dodoma,  
20<sup>th</sup> April, 2023

MAKAME M. MBARAWA  
Minister for Works and Transport

