

THE UNITED REPUBLIC OF TANZANIA



No. 21 OF 1980

I ASSENT,

.....  
President

8TH September, 1980

**An Act to amend the Merchant Shipping Act, 1967, to make provision for the training and certification of seamen and the manning of ships.**

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the Merchant Shipping (Amendment) Act, 1980, shall be read as one with the Merchant Shipping Act, 1967, and shall come into operation on such date as the Minister may, by notice in the *Gazette*, appoint.

2. Section 2 of the Merchant Shipping Act, 1967 is amended by deleting subsection (2) and substituting for it the following: -

"(2) Subject to Section 81B Of this Act, this Act Shall not apply to the regulation of inland water transport."

3. Sections 78 to 81 of the Merchant Shipping Act. 1967 are repealed and the following sections are substituted:

"Manning of ships and competence of seamen

78.-(1) The Minister may make regulations-

- (a) requiring ships to which this section applies to carry such number of qualified officers of any description and such number of other seamen or qualified seamen of any description as may be specified in the regulations;
- (b) prescribing standards of competence to be attained and other conditions to be satisfied by officers and Other seamen of any description in order to be qualified for the purposes of this section,

Short title, construction and commencement Act, 1967 No. 43 Amendment of section 2 Act, 1967 No. 43

Repeal and substitution of section 78 to 81 Acts, 1967 No. 43

- ...
- (c) providing for the manner in which the attainment of any standard or the satisfaction of any other condition is to be evidenced;
  - (d) providing for the conduct of examinations, the conditions for admission to them and the appointment and remuneration of examiners;
  - (e) providing for the form, issue and recording of certificates and other documents.

(2) Regulations made under this section may make provision for different descriptions of ships or for ships of the same description 'in different circumstances or generally, for different circumstances.

(3) Any person who-

- (a) makes a statement which he knows to be false for the purposes of obtaining for himself or another person a certificate or other document which may be issued under this section; or
- (b) lends or allows to be used by any other person, a certificate or document which is issued under this section,

shall be guilty of an offence under this Act.

Power to exempt from manning requirements

**79.**-(1) The Minister may exempt any ship or description of ship from any of the requirements of regulations made under section 78 of this Act.

(2) An exemption given under this section may be confined to a particular period or to one or more particular voyages.

Prohibition of going to sea undermanned

**80.** Subject to section 79 of this Act, if a ship to which this section applies goes to sea or attempts to go to sea without carrying such officers and other seamen as it may be required to carry in accordance with regulations made under section 78 of this Act, the owner or master shall be liable on summary conviction to a fine not exceeding two thousand shillings and the ship, if in the United Republic, may be detained.

Unqualified persons going to sea as qualified officers or seamen

**81.**-(1) Any person who goes to sea as a qualified officer or seamen of any description without being so qualified shall be liable on summary conviction to a fine not exceeding one thousand shillings.

(2) In this section "qualified" means qualified for the purposes of section 78 of this Act.

Production of certificates and other documents of qualification

**81A.**-(1) Any person serving or engaged to serve in any ship to which this section applies and holding any certificate or other document which is evidence that he is qualified for the purposes of section 78 of this Act shall, on demand,

produce the certificate or document to the Merchant Shipping Superintendent or a surveyor or proper officer and, if he is not himself the master, to the master of *the* ship.

(2) Any person who without reasonable cause, fails to produce a certificate or document as required- under this section shall be liable on summary conviction to a fine not exceeding one thousand shillings.

Application of sections 78, 79, 80, 81 and 81A **81B.** Sections 78, 79, 80, 81 and 81A of this Act shall apply to every ship registered in the United Republic and to any ship registered. elsewhere which carries passengers--

- (a) between places in the United Republic; or
- (b) on a voyage which begins and ends, at the same place in the United Republic and on which the ship does not call at any place outside the United Republic."

Passed in the National Assembly on the twenty-second day of July, 1980.

