

Tanzania

Ferries Act

Pangani Ferry Regulations, 1957

Government Notice 207 of 1957

Legislation as at 31 July 2002

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Ferries Act

Pangani Ferry Regulations, 1957

Government Notice 207 of 1957

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[Note: This legislation was revised and consolidated as at 31 July 2002 and 30 November 2019 by 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. All subsequent amendments have been researched and applied by Laws.Africa for TANZLII.]

[G.N. s Nos. 207 of 1957; 232 of 1994]

1.

These Regulations may be cited as the Pangani Ferry Regulations.

2.

In these Regulations, unless the context otherwise requires—

"**administration**" means the District Commissioner, Pangani, or the officer acting on his behalf;

"**collector**" means the person appointed by the licensee to collect toll fees but he shall not be a member of the crew of the ferry;

"**ferry**" means the Pangani Ferry and includes craft used in carrying on the ferry services;

"**licensee**" means the holder of a licence under the Ferries Act ¹ in respect of the Pangani Public Ferry;

"**toll fees**" means the fees set out in the schedule to these Regulations;

"**Nahodha**" means any person appointed from time to time by the licensee to be in charge of the ferry.

3.

The ferry shall be managed and carried on by the licensee by means of a pontoon propelled by a launch.

4.

The ferry service shall be efficiently maintained daily throughout the year and shall make crossings of the Pangani River as and when required beginning at 7 a.m. and terminating at 7 p.m. and at such other times as the licensee may decide, except during the hours of darkness, provided that in case of emergency and with the permission of the administration the ferry may be used during the hours of darkness.

5.

(1) The ferry while under way shall at all times be under the charge and control of the Nahodha.

¹ Cap. 173

- (2) In addition to the Nahodha the crew of the ferry shall consist of five persons of whom not less than three shall be on duty at any one time.

6.

All passengers and all animals, vehicles and other cargo shall be taken on or landed at the ramps provided for that purpose.

7.

- (1) The ferry craft in use shall at all times be kept clean, seaworthy and in good repair.
- (2) The ferry craft shall be inspected once in every six months by the administration and the licensee shall beach the ferry craft and carry out all reasonable instructions given by the administration for the purpose of such inspection.

8.

Each ferry craft shall be equipped with such life saving apparatus and fire extinguishing appliances as shall be considered necessary by the administration, and such apparatus and appliances shall be kept so as to be at all times fit and ready for use.

9.

- (1) The maximum load which each craft may carry shall be ten tons total weight inclusive of motor vehicles, loads, animals and passengers and for the purpose of these Regulations each passenger shall be the equivalent of one hundred and fifty pounds of load.
- (2) There shall be exhibited by the licensee in a conspicuous place at both approaches to the ferry a notice in English, and Kiswahili denoting the maximum load which such craft is permitted to carry.

10.

If a passenger, with intent to defraud, boards or attempts to board the ferry without paying the prescribed toll fee, he commits an offence under these Regulations and upon conviction is liable to a fine not exceeding one hundred shillings.

11.

Any person who—

- (a) wilfully obstructs the collector from collecting toll fees or any member of the crew of the ferry in the execution of his duties; or
- (b) behaves, while on the ferry, 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 ferry after being warned that it already contains its maximum load; or
- (d) boards the ferry in an unsafe or dangerous manner or causes damage to the ferry or its attachments, commits an offence under these Regulations and is liable upon conviction to a fine of one hundred shillings, and it shall be lawful for the Nahodha, any member of the crew or any Police Officer forcibly to remove such person from the ferry.

12.

Any person who uses or attempts to use the ferry without the permission of the Nahodha or in the absence of the Nahodha or, save as provided by regulation 4 hereof, during the hours of darkness commits an

offence under these Regulations and is liable upon conviction to a fine not exceeding one thousand shillings.

13.

The Nahodha may refuse to allow on board the craft any vehicle, animal or person which, in his opinion, may endanger safety during the act of boarding or disembarking or during carriage.

14.

The prescribed toll fees shall be payable before embarkation to the collector, and it shall be lawful for the Nahodha to refuse to carry on the ferry any person or animal, vehicle or other property of any person unless such person shall have paid the appropriate toll fee to the collector before embarking his animal, vehicle or other property on the ferry.

15.

The Nahodha may require any person in charge of a vehicle to remove from such vehicle any articles which are being carried in or upon or which are attached to such vehicle, before such vehicle is driven on to the ferry and any such person who having failed to observe such requirements drives or causes or permits to be driven any such vehicle aboard the ferry commits an offence under these Regulations and is liable upon conviction to a fine not exceeding one hundred shillings.

16.

Except in the cases mentioned in regulations [11](#), [12](#), [13](#) and [14](#), the Nahodha may not refuse to accept any passenger or cargo of the kind specified in the Schedule.

17.

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

18.

The administration may at any time suspend the service of the ferry for any reason which may appear to render this course necessary and desirable.

19.

Upon giving at least forty-eight hours' notice, the licensee may, once in every two months, and for a period not exceeding forty-eight hours withdraw the craft from the ferry service for the purpose of servicing or repair.

20.

The toll fees specified in the Schedule shall be exhibited in a conspicuous place on both the ferry landings.

Schedule**Toll fees**

		Shs. Cts.
1.	Passenger:	
	(a) Children	20/=
	(b) Adults	50/=
2.	Bicycles, Motorcycles	70/=
3.	Cattle/carts	150/=
4.	Saloon Car	200/=
5.	Pick-ups not exceeding 2 tons, micro-bus up to 15 passengers	400/=
6.	Lorries exceeding 7 tons, Bus up to 45 passengers, Agricultural and tractor trailer	1,000/=
7.	Lorries not less than 8 tons and not exceeding 15 tons, Bus exceeding 45 passengers	1,500/=
8.	Lorries exceeding 15 tons	2,000/=
9.	Heavy Plant, Truck and Trailer	4,000/=