

**LEGAL NOTICE NO. ....**

**THE ZANZIBAR MARITIME AUTHORITY ACT, NO. 3 OF 2009**

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**CHARGES AND FEES REGULATIONS  
[Made under section 19]**

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**IN EXERCISE** of the powers conferred upon me under section 19 of the Zanzibar Maritime Authority Act, No. 3 of 2009, **I, HAMAD MASOUD HAMAD**, Minister of Infrastructure and Communications, do hereby makes Regulations on Fees and Charges as follows:

**PART I: PRELIMINARY**

Short title and commencement

1. These regulations may be cited as the Fees and charges Regulations 2011, and shall come into force on the 1<sup>st</sup> day of September 2011

Interpretation

2.(1) In these regulations, unless the context requires otherwise:-

“Act” means the Zanzibar Maritime Authority Act 2009;

“Accountant General” shall have the same meaning provided under Section 2 of the Public Financial Act 2005;

“Authority” means the Zanzibar Maritime Authority;

“CBM” means measurement of volume in Cubic metres;

“Dollar” means a currency of the United State of America;

“foreign commercial ship” means a commercial ship that is not a Tanzania Zanzibar commercial ship;

“freight ton”

“International Tonnage Certificate”, in relation to a Tanzania Zanzibar commercial ship, means the certificate issued under section 41 of the Maritime Transport Act 2006 that certifies the gross tonnage of the ship

“LRIT” means long Range Identification and Tracking of ships under Regulation V/19-1 of the International Convention on Safety of Life at Sea 1974, as amended;

“Maritime development levy” include maritime safety and security levy, search and rescue levy and maritime training fund;

“Out of commission” in relation to a ship, means—

- (a) being incapable of operation as a result of being wrecked, stranded, or disabled while—
  - (i) in any port in Zanzibar; or
  - (ii) on the coasts of Zanzibar and Pemba Islands; or
  - (iii) proceeding from one port in Zanzibar to another; or
- (b) being prohibited from operation by the Director General exercising his powers under the Act; or
- (c) being prevented from operation by an employment relationship problem (for example, a strike or a lockout)

“Tanzanian waters” means—

- (a) the territorial sea of the United Republic of Tanzania; and
- (b) the internal waters of the United Republic of Tanzania

“weight ton”

“Ton” means metric ton or equivalent to 1,000 kilogrammes

(2) In addition to the provision of subregulation (1), if any other word or expression used in these regulations is defined in the Act or in the Maritime Transport Act 2006 such word or expression shall in these regulations, unless the context otherwise requires, have the meaning assigned to it in the Act or in the Maritime Transport Act 2006

## PART II: COLLECTION OF MARITIME DEVELOPMENT LEVY

Ships, people, goods and services for which maritime development levy are payable

3. Except as exempted in the Act or by the Minister, maritime development levy charges are payable for—

- (a) every Tanzania Zanzibar ship;
- (b) every foreign commercial ship that enters any port in Zanzibar or operates in Zanzibar;
- (c) every passenger embarking in any port in Zanzibar;
- (d) every passenger disembarking in Zanzibar from any port outside Zanzibar;
- (e) any goods from outside Zanzibar discharged in any port in Zanzibar; and
- (f) any marine service providers authorised by the Authority;

Rates of maritime development levy

4 (1) The charges for Maritime Development Levy payable to the Authority for each category shall be as shown in First Schedule.

(2) Charges for vessels in category 2, 3 and 4 on First Schedule shall be paid to Authority by shipping lines or their agents and shall be calculated by Gross Tonnage in accordance with an International Tonnage Certificate of a particular ship.

(3) Charges for passengers and tourists in category 8 and 9 on the First Schedule shall be paid to the Authority by shipping operators and shall be calculated on the basis -

- (a) of arrival from any port outside Zanzibar and when departure to any port outside Zanzibar
- (b) of port of departure in case the transportation is between ports within Zanzibar.

(4) Charges for containers in category 11 on the First Schedule shall be paid to the Authority by shipping lines or agents and shall be calculated on the basis of imports from countries outside East African Community.-

(5) Charges for goods and commodities on categories 10 and 12 on the First Schedule shall be paid to the Authority by owner/clearing agent and shall be calculated on the basis of

imports from countries outside East African Community.

When maritime  
development levy  
payable

5(1) The due date for payment of any Maritime development levy payable to the Authority in accordance with these regulations shall be,—

- (a) in the case of vessel on annual payments basis , is the anniversary date of the vessel;
- (b) in the case of vessels on per call payments basis, is not later than 7 days after the date the invoice for the charge is issued;
- (c) in the case of service providers on annual payments basis, is 1<sup>st</sup> day of July every year;

(2) The due date for payment of any Maritime development levy payable to the Authority for goods and passengers shall be made on monthly basis in accordance with the accumulation of passengers and goods transported by the company.

Refunds or waivers  
maritime development  
levy

6(1) This regulation applies to ships for which maritime development levy has been paid or are payable under regulation 5.

(2) The Director General shall, on receipt of a written application, refund to the person who paid the charges the appropriate proportion of those charges, or, if the charges have not been paid, waive the appropriate proportion of the charges otherwise payable if the Director General is satisfied that a ship has, for a period of 3 consecutive months or more, been—

- (a) out of commission; or
- (b) laid up for survey or repairs;

(3) If the Director General is satisfied that a ship has become a ship that is exempt from maritime development levy, the Director General shall, on receipt of a written application, refund to the person who paid the charges the appropriate portion of the charges, or waive payment of the appropriate portion of the charges.

(4) The Director General is not obliged to make any refund or grant any waiver of maritime development levy unless a written application for the refund or waiver is made within 12 months of the date on which payment of the charges would otherwise be due.

(5) The Director General may waive any maritime development levy in whole or in part if the amount of the charge is less than the reasonable cost of recovering the charge.

Rates of maritime development levy for chartered fishing vessels

7(1) In the case of a chartered fishing vessel, maritime development levy are payable for every month or part of a month during which the vessel is or remains in operation in Tanzanian waters.

(2) The amount payable must be calculated at a monthly rate of one-twelfth of the rate payable in accordance with regulation 6.

Exemption on paying maritime development levy

8. (1) Maritime Development Levy is not payable for any ship of any of the following classes:

- (a) as long as no passenger permanently embarks or disembarks and no cargo (other than fuel or supplies intended for use on board) is loaded or permanently unloaded, ships that put in to any port in Zanzibar—
  - (i) by reason of stress of weather; or
  - (ii) by reason of, or to repair, damage
- (b) ships that become liable for maritime development levy by reason only of their use in searching for or rendering emergency assistance to any person or ship.

(2) The following non commercial cargo shall be exempted from paying maritime development levy-

- (a) Personal effects;
- (b) Diplomatic goods;
- (c) Humanitarian aid goods;
- (d) Missionary goods; and
- (e) Military goods.

Payment of other fees, charges, etc

9.(1) Fees, charges, and other amounts payable to the Authority under the Act or these Regulations shall be paid in cash and cheques may be accepted, provided that-

- (a) An officer receiving the money has no reasonable grounds for believing that the cheque may not be honoured;
- (b) all cheque received under this regulations shall be made payable to the "Authority" and crossed "Account Payee only" and any cheques not so crossed on receipt shall be on crossed the receiver on receipt;
- (c) A cheque is not post-dated;
- (d) A cheque does not violate any condition under this regulation.

(2) An Officer accepting a cheque in payment of moneys due to the Authority shall have to ensure that –

- (a) the cheque is correctly dated, in that it is neither time expired nor post dated.
- (b) the amount in words and figures agree;
- (c) the cheque is signed, and
- (d) all alterations to any details of the cheque are validated by the full signature of the drawer.

(3) Where payment is made by cheque the cheque number shall have to be written on all copies of the relevant document of receipt and the serial number of that document recorded on the back of the cheque.

(4) Except where sanctioned by the Minister responsible for Finance, all fees, charges, and amounts received by the Authority under the Act shall be paid into the Government Revenue Bank Account designated by the Accountant General.

(5) No money in foreign currency other than dollars shall be accepted in payment of services or documents issued by the Authority under the Act and these Regulations.

(6) Payments for services rendered by the Authority to Domestic vessels, shipping companies based in any place in the United Republic of Tanzania and national seafarer's shall be accepted in equivalence of dollars in Tanzania Shillings.

(7) All payments for fees, charges, and other amounts payable to the Authority under the Act or these regulations shall be made at official places of work to officially appointed revenue officers or clerks, who shall issue Government receipts for all the amounts they receive.

Dishonoured cheque

10.(1) If a cheque received by the Authority is dishonoured by the bank by reason that neither the revenue has been collected nor the amount of the debt settled, the accounting action shall reflect that fact while avoiding creating fictitious assets consisting of the amount of such dishonoured cheques.

(2) Where the dishonoured cheque cannot be immediately corrected and represented, appropriate revenue item will be debited by the entry of a debit item in the revenue cash book and the relevant Accounting Officer or authority shall be informed in order that appropriate action, such as revocation of the licence, can be taken.

(3) All instances of dishonoured cheques shall be brought to the immediate attention of the Accountant General.

(4) All original dishonoured cheques shall be retained and kept in safe evidence and such cheque may represent important prima facie evidence of a debt due to the Authority and may be used in legal action taken to recover the amount due.

Refund on fees,  
charges, etc

11. Amounts received as fees, charges, and amounts payable to the Authority under the Act are not refundable after being deposited into Bank, except in cases when there is an over collection made in error, or when the Authority cannot, for reason (s) beyond his control, provide the requested service or document.

### **PART III: MISCELLANEOUS**

Licenses and permit  
fees

12. There shall be charges payable to the Authority for licences or permits issued for various services as shown in the Second Schedule.

LRIT services

13.(1) There shall be charges payable to the LRIT service provider for the using of data centre, conducting conformance test and any other services related thereto.

(2) There shall be charges payable to the Authority for LRIT services as shown in the Third Schedule.

(3) The LRIT service provider shall report to the Director General the amount received by selling of data from the Service provider's Data center relating to Tanzania Zanzibar ships.

(4) Any Tanzania Zanzibar ship which violets the manner of reporting LRIT message shall be liable to a fine of 50 dollars per day.

(5) Coastal ships registered under Tanzania Zanzibar Registered of Shipping shall pay only participation fees for LRIT services.

Survey fees

14.(1) Any authorised surveyor shall pay to the Authority 10 percent of the actual charges received by surveyor for any survey on Tanzania Zanzibar ship.

(2) Every surveyor shall post to the Authority the fees or charges for each survey in accordance with the size of ships.

Amendment and re-issue of certificates

15.(1) There shall be charges of 100 dollars for any amendment and re issue of certificates or documents.

(2) The certificates or documents under subregulation (1) of this regulation include those which are free at first issue.

Dry dock extension

16. There shall be charges of 200 dollars for any Tanzania Zanzibar ship which require extension of time to carry out dry dock surveys or repairs.

Power of the Minister to give exemptions

17. The Minister at any time may exempt any vessel, or person, or company from paying any fees or charges under these Regulations.



**FIRST SCHEDULE**  
**RATES FOR MARITIME DEVELOPMENT LEVY**

S/N	CATERGORY	BASIS	PAYER	RATE		
				SAFETY & SECURITY	SEARCH & RESCUE	TRAINING
1	<b>local ships</b>	Per annum	Company	50	50	50
2	<b>tourist ships</b>	Per call	Company/agent	50	50	50
3	<b>Foreign cargo ships</b>	Per GT/call	Company/agent	0.008	0.008	0.008
4	<b>Yachts</b>	Per call	Owner/agent	10	10	10
5	<b>small crafts</b>	Per annum	Owner/agent	2	2	1
6	<b>Fishing vessels</b>	Per annum	Owner/agent	50	50	50
7	<b>Native vessels</b>	Per annum	Owner/agent	5	5	5
8	<b>passengers</b>	Per ticket	Company	0.09	0.09	0.09
9	<b>tourists</b>	Per visit	Company/agent	0.5	0.5	0.5
10	<b>General Cargo</b> (i) Bulky, loose cargo, machinery (ii) Containerized cargo	Per CBM	Consigner	0.2	0.2	0.2
		Per CBM or per ton	consigner	0.2	0.2	0.2
11	<b>Containers</b>	Per TEU	Company/agent	1	1	1
12	<b>Oil products</b> Mineral fuels, lubricants, crude petroleum, white petroleum, animal oils & fats, edible oils and waxes	Per ton	consigner	1	1	1
13	<b>vehicles</b>	Per unit	Owner/agent	1	1	1
14	<b>maritime service providers</b>	Per annum	Company	50	50	50
15	<b>shore oil depots</b>	Per annum	Company	100	100	100
16	<b>Port operators</b>	Per annum	Company	500	500	500

**THE SECOND SCHEDULE**  
**LICENCES AND PERMITS FEES**

<b>S/N</b>	<b>NAME OF LICENCE OR PERMIT</b>	<b>BASIS</b>	<b>FEE</b>
1	certification of companies		
	companies with one ship	Annual	250
	companies with more than one ship	Annual	500
	Permit to operate HSC	Once	500
2	licensing of ship chandlers	Annual	250
3	licensing of ship agents	Annual	5000
4	licensing of shipping representatives	Annual	500
5	licensing of clearing and forwarding agents	Annual	500
6	licensing of marine surveying companies/agents	Annual	500
7	licensing seafarers recruiting agencies	Annual	2500
8	licensing of offshore installation	Annual	5000
9	licensing of jetty installation	Once	5000
10	licensing of fumigation services	Annual	250
11	licensing of fire servicing appliances	Annual	250
12	licensing of life saving appliances	Annual	500
13	licensing of radio survey and servicing	Annual	1000
14	licensing for ship and boat building	Annual	200
15	licensing of operating ship repair facilities	Annual	500
16	licensing of installing of reception facility	Once	1000
17	licensing of waste collection ships	Annual	250
18	licensing of diving centres	Annual	200
19	licensing of pleasure crafts	Annual	250
20	permit to undertake EIA for marine projects	Per project	500
21	permit to erect hotel facility/restaurant or floating hotel at sea	Once	200
22	licensing bunkering companies	Annual	500
23	licensing of fendering company for STS Operation	Annual	1000
24	approval of Emergency plans for Shore oil Deports	Once	250
25	annual inspection of Shore Oil Deports	Annual	250
26	Documents issued or approved by appointed Recognised Organizations	Per document	20

## THE THIRD SCHEDULE

### LRT SERVICES

S/No	SERVICE	RATE
1	monitoring fees	365
2	call sign fees	100
3	conformance test report fees	250
4	security fees	50
5	international participation fees	50
6	administrative fees	100
7	participation (coastal ships) fees	100

**SIGNED this ..... day of July 2011**

**{HON. HAMAD MASOUD HAMAD}  
MINISTER OF INFRASTRUCTURE AND  
COMMUNICATIONS  
ZANZIBAR**