

**THE MERITIME TRANSPORT ACT, NO. 5 OF 2006**

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**THE LOAD LINES REGULATIONS**

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**REGULATIONS**

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# THE MARITIME TRANSPORT ACT, NO. 5 OF 2006

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## THE LOAD LINES REGULATIONS

[Made under section 222(1)]

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**IN EXERCISE** of the powers conferred upon me under section 222(1) of the Maritime Transport Act, No. 5 of 2006 I, **DR. SIRA UBWA MAMBOYA**, Minister responsible for Maritime Transport affairs do hereby make the Load lines Regulations as follows:

### PART ONE PRELIMINARY PROVISIONS

Short title and commencement                    **1.** These Regulations may be cited as the Load lines Regulations of 2018 and shall come into operation after being signed by the Minister and published in the Official Gazette.

Interpretation                                    **2.** In these Regulations unless the context requires otherwise -  
“Act” means the Maritime Transport Act, No. 5 of 2006;  
“Convention” means the International Convention on Load lines, 1966;  
“Protocol” means the Protocol of 1988 relating to the Convention;  
“amidships” in relation to a ship means the middle of the ship's length (L);  
“anniversary date” in relation to a certificate means the day and month of each year which correspond to the date of expiry of the certificate;  
“appropriate certificate” means an International Load lines Certificate or an International Load lines Certificate (1966);  
“appropriate load lines” means the load lines directed to be marked on a ship pursuant to regulation 6(2)(b) or in the case of a ship not surveyed under these Regulations, pursuant to an International Load lines Certificate or an International Load lines Certificate (1966) which is in force, indicating the

maximum depth to which the ship may be loaded in Zanzibar territorial seawater;

“appropriate marks” means the appropriate load lines, the deck-line and load linesmark;

“clearance” includes trans-hire;

“conditions of assignment” means the conditions relating to construction, arrangement and stability with which a ship must comply in order to be assigned freeboards;

“Convention country” means a country or territory which is either -

- (a) a country the Government of which is party to the Convention or to the Convention as amended by the Protocol; or
- (b) a territory to which the Convention or the Convention as amended by the Protocol extends;

“Convention-size” in relation to a ship means, in the case of an existing ship, of not less than 150 gross tons (ascertained in accordance with the law in force on 21 July 1968), and in the case of a new ship, of not less than 24 metres in length;

“exclusive surveyor” means a surveyor appointed by and working exclusively for an Assigning Authority;

“Exemption Certificate” means an International Load lines Exemption Certificate;

“freeboards” means the distance measured vertically downwards at amidships from the upper edge of the deck-line described in regulation 15 to the position at which the upper edge of the load lines appropriate to the freeboard is to be marked;

“freeboard deck” means the deck from which the freeboards assigned to the ship are calculated, being -

- (a) the uppermost complete deck exposed to weather and sea, which has permanent means of closing all openings open to the weather, and below which all openings in the sides of the ship are fitted with permanent means of watertight closing; or

- (b) at the request of the owner and subject to the approval of the Registrar of Ships of Ships, a deck lower than that described in subparagraph (a) and, it being a complete and permanent deck which is continuous both in a fore and aft direction at least between the machinery space and peak bulkheads of the ship, a deck which is stepped being taken to consist for this purpose of the lowest line of the deck and the continuation of that line parallel to the upper part of the deck;

“International Load lines Certificate” means an International Load lines Certificate issued under the Convention as amended by the Protocol;

“International Load lines Exemption Certificate” means an International Load lines Exemption Certificate issued under the Convention as amended by the Protocol;

“length” and "(L)" in relation to a ship means the greater of the following distances :

- (a) 96% of the total length on a waterline at 85% of the least moulded depth measured from the top of the keel;
- (b) the length from the fore-side of the stem to the axis of the rudder stock on that waterline;
- (c) where the stem contour is concave above the waterline at 85% of the least moulded depth, both the forward terminal of the total length and the fore-side of the stem respectively shall be taken at the vertical projection to that waterline of the aftermost point of the stem contour (above that waterline); or
- (d) in ships designed with a rake of keel, the waterline on which this length is measured shall be parallel to the designed waterline;

“load line” means a mark on the ship indicating the maximum depth to which a ship may be loaded;

“material date” in relation to a new or existing ship is -

- (a) in relation to a ship whose parent country is a Convention country other than Tanzania, the date on which the Convention entered into force for that country; or
- (b) in relation to any other ship, the 21st July 1968;

“Minister” means the Minister responsible for Maritime Affairs;

“moulded depth” in relation to a ship means the vertical distance measured from the top of the keel to the top of the freeboard deck beam at side, except that -

- (a) in the case of a wood or composite ship, it shall be measured from the lower edge of the keel rabbet;
- (b) if the form at the lower part of the midship section of the ship is of a hollow character or if thick garboards are fitted, it shall be measured from the point where the line of the flat of the bottom continued inwards cuts the side of the keel;
- (c) in the case of a ship having rounded gunwales it shall be measured to the point of intersection of the moulded lines of the deck and side shell plating, the lines extending as though the gunwale were of angular design; and
- (d) if the freeboard deck is stepped and the raised part of the deck extends over the point at which the moulded depth is to be determined, it shall be measured to a line of reference extending from the lower part of the deck along a line parallel to the raised part of the deck;

“new ship” means a ship whose keel is laid, or which is at a similar stage of construction, on or after the material date and "existing ship" means a ship which is not a new ship;

“parent country”, in relation to a ship, means the country or territory in which the ship is registered or, if the ship is not registered anywhere, it means the country or territory whose flag the ship flies;

“pleasure vessel” means -

- (a) any ship which at the time it is being used is -
  - (i) in the case of a ship wholly owned by an individual or individuals, used only for the sport or pleasure of the owner or the immediate family or friends of the owner; or
  - (ii) in the case of a ship owned by a body corporate, used only for sport or pleasure and on which the persons are employees or officers of the body corporate, or their immediate families or friends; and
- (b) on a voyage or excursion for which the owner does not receive money for or in connection with operating the ship or carrying any person, other than as a contribution to the direct expenses of the operation of the ship incurred during the voyage or excursion; or
- (c) any ship wholly owned by or on behalf of a members' club formed for

the purpose of sport or pleasure which, at the time it is being used, is used only for the sport or pleasure of members of that club or their immediate families; and

- (d) for the use of which any charges levied are paid into club funds and applied for the general use of the club, and in the case of any ship referred to in paragraph (a) or (b) no other payments are made by or on behalf of users of the ship, other than by the owner.

“rake of keel” means the inclination of the keel to a horizontal baseline;

“Registrar of Ships of Ships” means the Registrar of Ships of Ships appointed in accordance with the provisions of Act;

“sailing ship” means a ship designed to carry sail, whether as the sole means of propulsion, or as a supplementary means;

“Water-tight” in relation to any part of the ship, means capable of preventing the passage of water in any direction.

#### Application

**3.** These Regulations shall apply to all ships except -

- (a) war ships;
- (b) ships solely engaged in fishing;
- (c) pleasure vessels;
- (d) ships which do not go to sea;
- (e) ships engaged solely in the coasting trade, and not carrying cargo;
- (f) tugs or salvage ships;
- (g) hopper barges or dredgers;
- (h) ships used by or on behalf of
  - (i) the Zanzibar Ports Authority for the purpose of the authority's functions as such;
  - (ii) a Government department for fishery protection purposes;
  - (iii) a local fisheries committee for the regulation of sea fisheries within its district; or
  - (iv) a Government department for fishery or scientific research.

#### Exemptions

**4.-(1)** Subject to regulation 3 of these Regulations, the Registrar of Ships may exempt from these:

- (a) any ship which embodies features of a novel kind if the development of those features and their incorporation in ships engaged on international voyages might be seriously impeded if the ship had to comply with all the requirements of these



Regulations;

(b) any ship plying on international voyages between near neighbouring ports if:

- (i) in his opinion the sheltered nature and condition of the voyages makes it unreasonable or impracticable to apply these Regulations; and
- (ii) he is satisfied that the Government of the other country (or, as the case may be, of each of the other countries) concurs in that opinion.

(2) Subject to sub regulation (3) of this regulation, the Registrar of Ships may exempt from these Regulations –

- (a) a ship which is not a Convention-size ship;
- (b) any other ship which does not ply on international voyages.

(3) Any exemption conferred under this regulation may be conferred subject to such conditions as the Registrar of Ships thinks fit and, where any such exemption is conferred subject to conditions, the exemption shall not have effect unless those conditions are complied with.

## **PART TWO SURVEYS AND CERTIFICATES**

General  
compliance

5.-(1) Subject to the provisions of these Regulations, a ship shall not proceed, or attempt to proceed, to sea unless –

- (a) it has been surveyed in accordance with these Regulations;
- (b) it is marked with the appropriate marks;
- (c) it complies with the conditions of assignment applicable to it; and
- (d) the information required by regulations 34 and 35 of these Regulations is provided for the guidance of the master of the ship.

(2) A ship shall not be so loaded that -

- (a) if the ship is in sea water and has no list the appropriate load lines on each side of the ship is submerged; or
- (b) in any other case, the appropriate load lines on each side of the ship would be submerged if the ship were in sea water and had no list.

(3) Before any ship proceeds to sea from any port in Zanzibar, the master of that ship shall produce to an officer of customs from whom a clearance for the ship is demanded for an international voyage a valid Convention certificate.

(4) For the purpose of this regulation, where a valid Convention certificate cannot be produced the freeboard deck and the freeboard shall be determined in accordance with these Regulations and the appropriate load lines shall be the maximum depth to which the ship may be loaded in sea water.

Assignment of freeboards

**6.-(1)** The Registrar of Ships shall assign freeboards to a Tanzania Zanzibar ship in accordance with the requirements of these Regulations.

(2) The Registrar of Ships shall -

- (a) determine the particulars of the freeboards to be assigned;
- (b) determine which of the load lines described in Part III to these Regulations are to be marked on the sides of the ship in accordance with the requirements of that Part;
- (c) determine the position where the load lines, the deck-line and the load line mark are to be so marked; and
- (d) complete a copy of the record of particulars relating to the conditions of assignment.

(3) Where a passenger ship is marked with subdivision load lines, and the lowest of those lines is lower than the line which is the appropriate load line then that subdivision load line shall have effect as if it is the appropriate load line for the purposes of these Regulations.

Initial renewal and annual surveys

**7.-(1)** A Tanzania Zanzibar ship shall be subject to the following surveys -

- (a) an initial survey before the ship is put into service, which shall include a complete inspection of its structure and equipment as required by these Regulations, this survey shall be such as to ensure that the arrangements, materials and scantlings comply fully with the requirements of these Regulations;
- (b) a renewal survey at intervals not exceeding five years (except where regulation 9(2)(a), (5), (6) or (7) is applicable), which shall be such as to ensure that the structure, equipment, arrangements, materials and scantlings comply fully with the

requirements of these Regulations;

- (c) an annual survey within the period of three months before or after each anniversary date of the appropriate certificate to ensure that-
  - (i) alterations have not been made to the hull or superstructures which would affect the calculations determining the position of the load lines;
  - (ii) the fittings and appliances for the protection of openings, guard rails, freeing ports and means of access to crew's quarters are maintained in an effective condition;
  - (iii) the appropriate marks are correctly and permanently indicated; and
  - (iv) information is provided in accordance with regulations 34 and 35 to these Regulations.

(2) The owner and master shall ensure that after any of the surveys referred to in sub regulation (1) of this regulation has been completed, no material alteration is made to the ship, its structure or equipment, without the approval of the Registrar of Ships.

(3) After a satisfactory annual survey referred to in sub regulation (1)(c) of this regulation, the surveyor shall endorse either the International Load lines Certificate or the International Load lines Exemption Certificate accordingly.

Issue of appropriate certificates

**8.**(1) Subject to regulation 9 of these Regulations, the Registrar of Ships shall issue an International Load lines Certificate in respect of a ship which has been surveyed and marked in accordance with these Regulations.

(2) An International Load lines Certificate shall be in the form prescribed in the Schedule.

(3) Without prejudice to any regulation, a ship shall not proceed, or attempt to proceed to sea, unless the appropriate certificate is in force in respect of that ship.

(4) The Registrar of Ships may request, through a proper officer or otherwise, the Government of a Convention country to survey a Tanzania Zanzibar ship and, if satisfied that the requirements of the Convention are complied with -

- (a) issue or authorise the issue of, in respect of the ship, an International Load lines Certificate; or
- (b) in the case of an annual survey, endorse or authorise the endorsement of the International Load lines Certificate, or the International Load lines Exemption Certificate as the case may be,

and a certificate issued or an endorsement made in accordance with such a request, and containing a statement that it has been so issued or made, shall have the same effect as if it had been issued by the Registrar of Ships or made by a surveyor respectively.

(5) In the case of a ship that has been transferred from the registry of the Government of another country to the Tanzania Zanzibar ship registry, the Registrar of Ships, subject to such survey requirements it considers to be necessary as may issue an International Load lines Certificate for a period to be determined by him, but for not longer than the period of validity of the certificate issued by or on behalf of the Government of that other country if satisfied that -

- (a) the ship has already been subjected to satisfactory initial renewal and annual surveys, as appropriate;
- (b) the condition of the ship, including its structure and equipment, has been maintained so as to comply with the requirements of the Convention applicable to the ship;
- (c) after any of the surveys referred to in subparagraph (a) have been completed, no material change has been made to the ship, including its structure and equipment, subject to such surveys, without the approval of the administration of that State; and
- (d) that the intact stability information approved by or on behalf of the Government of that other country is in English and complies with the requirements of the International Maritime Organization's Resolution A.167(ES.1V).

Duration of certificates

9.-(1) The duration of any certificate issued under these Regulations shall not exceed a period of five years beginning with the date of completion of the initial or renewal survey as provided under these Regulations.

(2) When the renewal survey is completed -

- (a) within three months before the expiry of the existing certificate, the new certificate shall be valid for a period beginning with the date of completion of the renewal survey and ending on a date

which does not exceed five years from the expiry of the existing certificate;

- (b) after the expiry of the existing certificate, the new certificate shall be valid for a period beginning with the date of completion of the renewal survey and ending on a date which does not exceed five years from the expiry of the previous certificate;
- (c) more than three months before the expiry of the existing certificate, the new certificate shall be valid for a period beginning with the date of completion of the renewal survey and ending on a date which does not exceed five years from the date of completion of the renewal survey.

Extension of  
certificate

**10.**-(1) If a certificate is issued for a period of less than five years, the Registrar of Ships may extend the validity of the certificate beyond the expiry date to the maximum period specified in regulation 8(1), provided that the annual surveys applicable when a certificate is issued for a period of five years shall have been carried out as appropriate.

(2) If, after the renewal survey, a new certificate cannot be issued to the ship before the expiry of the existing certificate, the Registrar of Ships may extend the validity of the existing certificate for a period which shall not exceed five months, provide that, this extension shall be endorsed on the certificate, and shall be granted only where there have been no alterations in the structure, equipment, arrangements, materials or scantlings which affect the ship's freeboard.

(3) If, at the time when a certificate expires, a ship is not in a port in which it is to be surveyed, the Registrar of Ships may extend the validity of the certificate but this extension shall be granted only where it appears proper and reasonable to the Registrar of Ships to do so, for the purpose of allowing the ship to complete its voyage to the port in which it is to be surveyed.

(4) A certificate shall not be extended for a period longer than three months beginning with the date of expiry, and a ship to which an extension is granted shall not, on its arrival in the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port without having a new certificate.

(5) When the renewal survey is completed, the new certificate shall be valid for a period ending on a date which does not exceed five years from the

expiry of the previous certificate before the extension was granted.

(6) A certificate issued to a ship engaged on short voyages which has not been extended under sub regulation (1), (2), (3), (4) or (5) of this regulation, the Registrar of Ships may extend for a period of not more than one month beginning with the date of its expiry, provided that, when the renewal survey is completed the new certificate shall be valid for a period ending on a date which does not exceed five years from the expiry of the previous certificate before the extension was granted.

(7) In special circumstances, as determined by the Registrar of Ships, a new certificate need not be dated from the expiry of the previous certificate before the extension was granted, as required by sub regulations (2), (3), (4), (5) and (6) and in these special circumstances, the new certificate shall be valid for a period ending on a date which is not more than five years from the date of completion of the renewal survey.

(8) If an annual survey is completed before the period specified in sub regulation (7), then -

- (a) a new anniversary date shall be endorsed on the certificate which shall not be more than three months later than the date on which the annual survey was completed;
- (b) the subsequent annual survey required by sub regulation (7) shall be completed at the intervals prescribed by that regulation using the new anniversary date; or
- (c) the expiry date of the certificate may remain unchanged provided one or more annual surveys are carried out so that the maximum intervals between the surveys prescribed by sub regulation (7) are not exceeded.

Certificates  
ceasing to be  
valid

**11.** An appropriate certificate issued in respect of a Tanzania Zanzibar ship shall cease to be valid where -

- (a) material alterations have taken place in the hull or superstructures of the ship such as would necessitate the assignment of an increased freeboard;
- (b) the fittings and the appliances are not maintained in an effective condition;
- (c) the certificate is not endorsed in accordance with the provisions of these Regulations to show the ship has been accordingly surveyed;

- (d) the structural strength of the ship is lowered to such an extent that the ship is unsafe;
- (e) a new certificate is issued in respect of the ship; or
- (f) the ship ceases to be a Tanzania Zanzibar ship.

Cancellation of certificates

**12.**-(1) The Registrar of Ships may cancel an appropriate certificate issued in respect of a ship if he is satisfied that –

- (a) the certificate was issued on false or erroneous information;
- (b) information on the basis of which freeboards were assigned to the ship was incorrect in a material particular; or
- (c) the ship ceases to comply with the conditions of assignment relating to it.

(2) Before the Registrar of Ships cancels a certificate, he shall first notify the owner in writing, specifying the grounds for the cancellation.

(3) The Registrar of Ships shall not cancel the certificate until the owner has been given a reasonable opportunity to make representations, and the Registrar of Ships has considered any such representations made.

(4) Sub regulation (3) shall not apply where the Registrar of Ships considers that urgent safety considerations so require.

Surrender of certificate

**13.**-(1) The Registrar of Ships may require any certificate issued under these Regulations which has expired, ceased to be valid or cancelled, to be surrendered as he directs.

(2) The requirement that the notification referred to in sub regulation (1) should be in writing is satisfied where the text of the notification is -

- (a) transmitted by electronic means;
- (b) received in legible form; and
- (c) capable of being used for subsequent reference.

Issue of exemption certificates

**14.**-(1) Where a ship is exempted under these Regulations, an International Load lines Exemption Certificate shall be issued in respect of the ship by the Registrar of Ships of Ship.

(2) The International Load lines Exemption Certificate shall be in the form LL/02 as prescribed in the Third Schedule to these Regulations.

(3) Except in so far as the nature or terms of any such exemption require the contrary -

(a) the ship shall be assigned freeboards in accordance with the requirement of these Regulations;

(b) the ship shall be subject to surveys in accordance with these Regulations.

Publication of load lines certificate and notification of draughts

**15.**-(1) Where an appropriate certificate or an Exemption Certificate is issued in respect of a ship, the owner and master of the ship shall ensure that it is kept legible and posted up in some conspicuous place on board the ship.

(2) Before any ship leaves any dock, wharf, harbour or other place for the purpose of proceeding to sea, the master of the ship shall, ensure that a notice is posted up in some conspicuous place on board the ship, in a form and containing such particulars relating to the depth to which the ship is loaded.

(3) Where a notice has been posted up in accordance with sub regulation (2), the master of the ship shall cause it to be kept posted and legible until the ship arrives at some other dock, wharf, harbour or place.

(4) Sub regulation (2) shall not apply to ships employed on a near-coastal voyage.

Issue of Certificate to non-Tanzania Zanzibar ships

**16.** The Registrar of Ships may, at the request of a Government of a Convention country, survey a ship registered in that country and if satisfied that the requirements of the Convention and Protocol are fully complied with, issue to the ship an International Load lines Certificate and, where appropriate, endorse such certificate as a certificate issued in accordance with such a request and shall contain a statement that it has been so issued and shall have the same effect as if it were issued by that Government.

### **PART THREE PROVISIONS RELATING TO LOAD LINES AND MARKS**

Marking

**17.**-(1) The load lines directed to be marked on the ship the deckline and the load lines mark shall be marked by the owner on each side of the ship in accordance with the directions of the Registrar of Ships and the



requirements of this Part.

(2) Where an Exemption Certificate is issued in association with the assignment of special freeboards which are less than those required by regulation 28, the ship shall be marked by the owner.

Deck-line

**18.**-(1) The deck-line shall consist of a horizontal line 300 mm in length and 25 mm in width and shall be marked amidships on each side of the ship so as to indicate the position of the freeboard deck.

(2) Subject to sub regulation (3), the deck-line shall be marked in such a position on the side of the ship that its upper edge passes through the point amidships where the continuation outwards of the upper surface of the freeboard deck, or of any sheathing of that deck, intersects the outer surface of the shell of the ship as shown in Figure 1 in the Second Schedule to these Regulations.

(3) Where the design of the ship, or other circumstances, renders it impracticable to mark the deck-line in accordance with sub regulation (2), the Registrar of Ships may direct that it be marked by reference to another fixed point as near as practicable to the position described in sub regulation (2).

Load lines  
mark

**19.** The load lines mark as shown in Figure 2 in the Second Schedule to these Regulations shall consist of a ring 300 mm in outside diameter and 25 mm wide, intersected by a horizontal line 450 mm long and 25 mm wide, the upper edge of which passes through the centre of the ring, and the centre of the ring shall be marked amidships vertically below the deck-line so that, except as otherwise provided in regulation 30, the distance from the centre of the ring to the upper edge of the deck-line is equal to the Summer freeboard assigned to the ship.

Load lines

**20.**-(1) Except as otherwise provided for in sub regulation (3) of this regulation the load lines shown in Figure 2 in the Schedule to these Regulations shall consist of horizontal lines of 230 mm in length and 25 mm in width extending forward or abaft a vertical line 25 mm in width marked 540 mm forward of the centre of the ring of the load lines mark and at right angles to that line and the individual load lines shall be –

(a) the Summer load lines, which shall extend forward of the said vertical line, and shall correspond horizontally with the line passing through the centre of the ring of the load lines mark,

- and shall be marked S;
- (b) the Winter load lines, which shall extend forward of the vertical line, and be marked W; and
- (c) the Tropical load lines, which shall extend forward of the vertical line, and be marked T.

(2) The maximum depth to which a ship may be loaded in relation to a load lines referred to in sub regulation (1) shall be the depth indicated by the upper edge of the appropriate load lines.

(3) In the case of a sailing ship:

- a) the Summer load lines shall consist of the line passing through the centre of the ring of the load lines mark; and
- b) the Winter North Atlantic load lines and Fresh Water load lines only shall be marked on the ship as shown in Figure 3 in the Second Schedule.

Timber load lines

**21.**-(1) The Timber load lines shall consist of horizontal lines of the dimensions specified in respect of such lines in regulation 19(1), extending abaft or forward of a vertical line 25 mm in width and marked 540 mm abaft the centre of the ring of the load lines mark and at right angles to that line as shown in Figure 4 in the Second Schedule to these Regulations and individual Timber load lines shall be as follows-

- (a) the Summer Timber load lines, which shall extend abaft the said vertical line and be marked LS;
- (b) the Winter Timber load lines, which shall extend abaft the vertical line and be marked LW; and
- (c) the Tropical Timber load lines, which shall extend abaft the vertical line and be marked LT.

(2) The maximum depth to which a ship may be loaded in relation to a Timber load lines referred to in sub regulation (1) shall be the depth indicated by the upper edge of the appropriate Timber load lines.

Appropriate load lines

**22.** The appropriate load lines in respect of a ship at any particular zone or area and seasonal period shall be ascertained.

Position of load lines

**23.** Each load lines shall be marked in such a position on each side of the ship that the distance measured vertically downwards from the upper edge

of the deck-line to the upper edge of the load lines is equal to the freeboard assigned to the ship which is appropriate to that load lines.

Method of marking

**24.**-(1) The appropriate marks shall be marked in such a manner as to be plainly visible –

- (a) if the sides of the ship are of metal, the appropriate marks shall be cut in, centre punched or welded;
- (b) if the sides of the ship are of wood, the marks shall be cut into the planking to a depth of not less than 3 mm; or
- (c) if the sides are of other materials to which the foregoing methods of marking cannot effectively be applied, the marks shall be permanently affixed by bonding or some other effective method.

(2) The appropriate marks shall be painted in white or yellow if the background is dark, and in black if the background is light.

(3) Where an Exemption Certificate is issued in association with the assignment of special freeboards which are less than those required by regulation 28, the load lines and the load lines mark shall be marked on the ship by being painted in red on a contrasting background and shall comply with sub regulation (2).

Authorisation of removal, etc., of appropriate marks

**25.** After the appropriate marks have been made on a ship it shall be the duty of the owner and master to keep the ship so marked and the marks shall not be concealed, removed, altered, defaced or obliterated except with the authority of the Registrar of Ships.

Mark of Registrar of Ships

**26.**-(1) The identity of the Registrar of Ships may be marked alongside the load lines ring either above the horizontal line which passes through the centre of the ring, or above and below it.

(2) The marks to a ship made by the Registrar of Ships under sub regulation (1) shall consist of not more than four initials each measuring approximately 115 mm in height and 75 mm in width.

#### **PART FOUR CONDITIONS OF ASSIGNMENT**

Requirements to the

**27.**-(1) Subject to sub regulation (2), every ship to which freeboards

assignment of freeboards are assigned under these Regulations shall comply with the conditions of assignment applicable to that ship.

(2) An existing ship may, instead of complying with the conditions of assignment referred to in sub regulation (1), comply with such requirements relevant to the assignment of freeboards to ships as were applicable to her under the law in force.

Compliance with conditions of assignment **28.**-(1) Except as otherwise provided for in sub regulation (2), a ship will cease to comply with the conditions of assignment -

- (a) if at any time after the assignment of freeboards there has been any alteration of the hull, superstructures, fittings or appliances of the ship such that -
  - (i) a requirement applicable to the ship under regulation 24 is not complied with; or
  - (ii) it differs in a material respect from the record of particulars provided in accordance with regulation 26; or
- (b) if the record of particulars is not on board in accordance with regulation 26(2) to these Regulations.

(2) A ship shall be taken to comply with the conditions of assignment notwithstanding an alteration referred to in sub regulation (1)(a) if -

- (a) amended freeboards appropriate to the condition of the ship have been assigned, the ship has been marked with these load lines and a new certificate issued to the owner of the ship accordingly; or
- (b) the alteration has been inspected by a surveyor on behalf of the Registrar of Ships and the Registrar of Ships is satisfied that the alteration is not such as to require any change in the freeboards assigned to the ship, and full particulars of the alteration together with the date and place of his inspection have been endorsed by the surveyor on the record referred to in regulation 26(1) to these Regulations.

Record of particulars **29.**-(1) The record of particulars shall be provided on the ship as may be prescribed by the Registrar of Ships.

(2) The record shall be furnished by the Registrar of Ships and be retained on board at all times.

## **PART FOUR FREEBOARDS**

Types of  
freeboards

**30.**-(1) The freeboards that can be assigned to a ship under these Regulations are the Summer freeboard, Tropical freeboard, Winter freeboard and Winter North Atlantic.

(2) Where the ships carrying timber the freeboards that may be assigned are the Summer Timber freeboard, Winter Timber freeboard, Tropical Timber freeboard, Sea Water Timber freeboard and Tropical Sea Water Timber freeboard and Winter North Atlantic Timber.

Determination  
of freeboards

**31.**-(1) Except as otherwise provided for in regulation 29 to these Regulations, the freeboards assigned to a new ship shall be determined by the Registrar of Ships of Ship.

(2) The freeboards assigned to an existing ship shall be determined in accordance with the provisions applicable to the ship under the law in force.

(3) Notwithstanding sub regulation (2), if an existing ship has been so constructed or modified as to comply with all the conditions of assignment set out by the Registrar of Ships applicable to a new ship of her type, and application is made for the assignment to her of freeboards determined in accordance with such freeboards shall be assigned to her.

Greater than  
minimum  
freeboards

**32.**-(1) A freeboard determined in accordance with regulation 30 to these Regulations is the minimum freeboard that may be assigned to the ship.

(2) Subject to sub regulation (3), the Registrar of Ships may, if he is satisfied that the ship complies with the requirements of these Regulations, assign freeboards (other than Timber freeboards) which exceed the minimum freeboards by such an amount as he may determine.

(3) Timber freeboards shall not be assigned to a ship to which greater than minimum freeboards have been assigned.

(4) Where a freeboard greater than the minimum is assigned to a ship and the load lines appropriate to that freeboard corresponds to, or is lower than, the position at which the lowest of the load lines appropriate to minimum

freeboards would be marked, then -

- (a) load lines only appropriate to the greater than minimum Summer freeboard and Sea Water freeboard shall be marked on the sides of the ship;
- (b) the load lines appropriate to the greater than minimum Summer freeboard shall be known as the "All Seasons load lines" and shall consist of the horizontal line intersecting the load lines mark;
- (c) the vertical line described in regulation 17 to these Regulations shall be omitted; and
- (d) subject to subparagraph (c), the Sea Water load lines shall be as described in regulation 17(1) and be marked accordingly.

Special position of deck-line: correction of freeboards

**33.** In any ship where the deck-line is marked in accordance with regulation 15(3) to these Regulations, the freeboards assigned to the ship shall be corrected to allow for the vertical distance by which the position of the deck-line is altered by virtue of that sub regulation, the reference point to which the deck-line has been so marked, and the identity of the deck which has been taken as the freeboard deck, shall be specified in the appropriate certificate issued in respect of the ship.

## **PART SIX STABILITY**

Information as to stability of ships

**34.**-(1) The owner of every ship to which these Regulations apply shall provide, for the guidance of the master, information relating to the stability of the ship in accordance with this regulation, the information shall be in the form of a book which shall be kept on the ship at all times in the custody of the master.

(2) Subject to sub regulation (1), this information shall be based on the determination of stability taken from an inclining test carried out in the presence of a surveyor this information shall be amended whenever any alterations are made to the ship or changes occur to it which will materially affect this information and, if necessary, the ship shall be re-inclined.

(3) The inclining test may be dispensed with if -

- (a) in the case of any ship, basic stability data are available from the inclining test of a sister ship and the Registrar of Ships

satisfied that reliable stability information can be obtained from such data; and

(b) in the case of -

(i) a ship specially designed for the carriage of liquids or ore in bulk; or

(ii) any class of such ships,

the information available in respect of similar ships shows that the ship's proportions and arrangements will ensure more than sufficient stability in all probable loading conditions.

(4) Before the information is issued to the master if it relates to a ship which is specified by the Registrar of Ships it shall be approved by the Registrar of Ships which assigned freeboards to the ship and if it relates to any other ship, it shall be approved by the Registrar of Ships.

Information as to loading and ballasting of ships

**35.**-(1) The owner of any ship of more than 150 metres in length specially designed for the carriage of liquids or ore in bulk shall provide, for the guidance of the master, information relating to the loading and ballasting of the ship.

(2) The information shall indicate the maximum stresses permissible for the ship and specify the manner in which the ship is to be loaded and ballasted to avoid the creation of unacceptable stresses in its structure.

## **PART SEVEN MISCELLANEOUS PROVISIONS**

Equivalents

**36.** The Registrar of Ships may -

(a) allow any fitting, material, appliance or apparatus to be fitted in a ship;

(b) allow other provisions to be made in a ship, in the place of any fitting, material, appliance, apparatus or provision respectively which is required under any of these Regulations, if satisfied by trial or otherwise that it is at least as effective as that so required; or

(c) allow in an exceptional case departure from the requirements of any of the said provisions on condition that the freeboards to be assigned to the ship are increased to such an extent as to satisfy the Registrar of Ships that the safety of the ship and protection afforded to the crew will be no less effective than would be the

case if the ship fully complied with those requirements and there were no such increase of freeboards.

Penalties

37.-(1) Where regulation 5(1) to these Regulations is contravened the owner and master of the ship shall each be guilty of an offence and shall upon conviction, be liable, to a fine of not less than the equivalence of 10,000 US Dollar in Tanzania Shilling or imprisonment for a term not less than six months.

(2) Any contravention of regulation 5(3) shall be an offence by both the owner and master and shall be shall upon conviction, be liable, to a fine of not less than the equivalence of 10,000 US Dollar in Tanzania Shilling or imprisonment for a term not less than six months.

(a) (3) Any contravention of regulation 5(4) shall be an offence by the master and by any other person who, having reason to believe that the ship is so loaded, sends or is a party to sending the ship to sea, and shall upon conviction, be liable, to a fine of not less than the equivalence of 10,000 US Dollar in Tanzania Shilling or imprisonment for a term not less than six.

(5) Where a person is charged with an offence under sub regulation (2), it shall be a defence to prove that the contravention was due solely to deviation or delay and that the deviation or delay was caused solely by stress of weather or other circumstances which neither the master nor the owner nor the charterer (if any) could have prevented or forestalled.

(6) Any contravention of regulation 22 to these Regulations shall be an offence by both the owner and the master shall upon conviction, be liable, to a fine of not less than the equivalence of 10,000 US Dollar in Tanzania Shilling or imprisonment for a term not less than six months.

(7) It shall be a defence for a person charged under sub regulation (6) to show that he had reasonable excuse for the contravention.

(8) Any contravention of regulation 8(3) to these Regulations shall be an offence by the master shall upon conviction, be liable, to a fine of not less than the equivalence of 10,000 US Dollar in Tanzania Shilling or imprisonment for a term not less than six months.

(9) Any contravention of regulation 12 to these Regulations shall be an



offence by both the master and owner and shall upon conviction, be liable, to a fine of not less than the equivalence of 5,000 US Dollar in Tanzania Shillings or imprisonment for a term not less than three months.

Offences and penalties in relation to certificates and surveys

**38.** A person who -

- (a) intentionally alter a certificate referred to in these Regulations;
- (b) falsely make a certificate referred to in these Regulations;
- (c) in connection with any survey required by these Regulations, knowingly or recklessly furnish false information;
- (d) with intent to deceive, use, lend, or allow to be used by another, a certificate referred to in these Regulations; or
- (e) fail to surrender as directed a certificate required to be surrendered under regulation 10(6) to these Regulations,

commits an offence shall upon conviction, be liable, to a fine of not less than the equivalence of ten thousand dollar in shilling or imprisonment for a term not less than six months.

Detention

**39.**-(1) Any ship which, in contravention of regulation 5(1) to these Regulations, proceeds or attempts to proceed to sea without being surveyed and marked may be detained until it has been so surveyed and marked in accordance with these Regulations.

(2) Any ship which fails to comply with the conditions of assignment applicable to it under these Regulations shall be liable to be detained until it complies.

(3) Without prejudice to any provisions under these Regulations, any ship which is loaded in contrary with these Regulations shall be liable to be detained until it ceases to be so loaded.

(4) In any case where a ship is liable to be detained, section 234(3) of the Act (which relates to the detention of a ship) shall have effect in relation to the ship and the Registrar of Ships shall issue detention notice to the master of that ship stating reasons for detention and appropriate actions need to be taken by the master to that ship subject with the provision of the Act and these Regulations.

Compounding of offences

**40.**-(1) Notwithstanding any other law, where a ship or master violates any provision of these Regulations, the Authority may serve on that ship or master a notice in the specified form, calling upon such ship or master to pay in respect of the offence, the amount of fines so specified with the offence alleged to have been committed.

(2) The notice under sub regulation (1) of this regulation, shall specify:

- (a) name and registration number of the ship;
- (b) the offence alleged to have been committed;
- (c) place and time upon which the offence has occurred;
- (d) actual amount of fine so specified for that offence;
- (e) time and manner in which the fine should be paid; and
- (f) any other particular or information relating to that offence when the Authority may think necessary.

(3) The ship or master served with a notice under sub regulation (1) of this regulation shall, within seven days from the date in which the notice has been delivered to him, pay the amount of fine to the Authority.

(4) Where a ship or master has been served with a notice under sub regulation (1) of this regulation, fails to pay such a fine within the time limit specified in the notice, the Authority shall proceed with criminal action against such a ship or master.

(5) When the ship or master pay the amount of fine so specified in the notice, no further criminal actions relating to the same offence shall be taken against the ship or master.

**First Schedule**

**International Load lines Certificate**

**[Made under Regulation 8(2)]**

Second Schedule

Figures

[Made under Regulations 18 (2), 19, 20 (3) b and 21(1)]

Figure 1

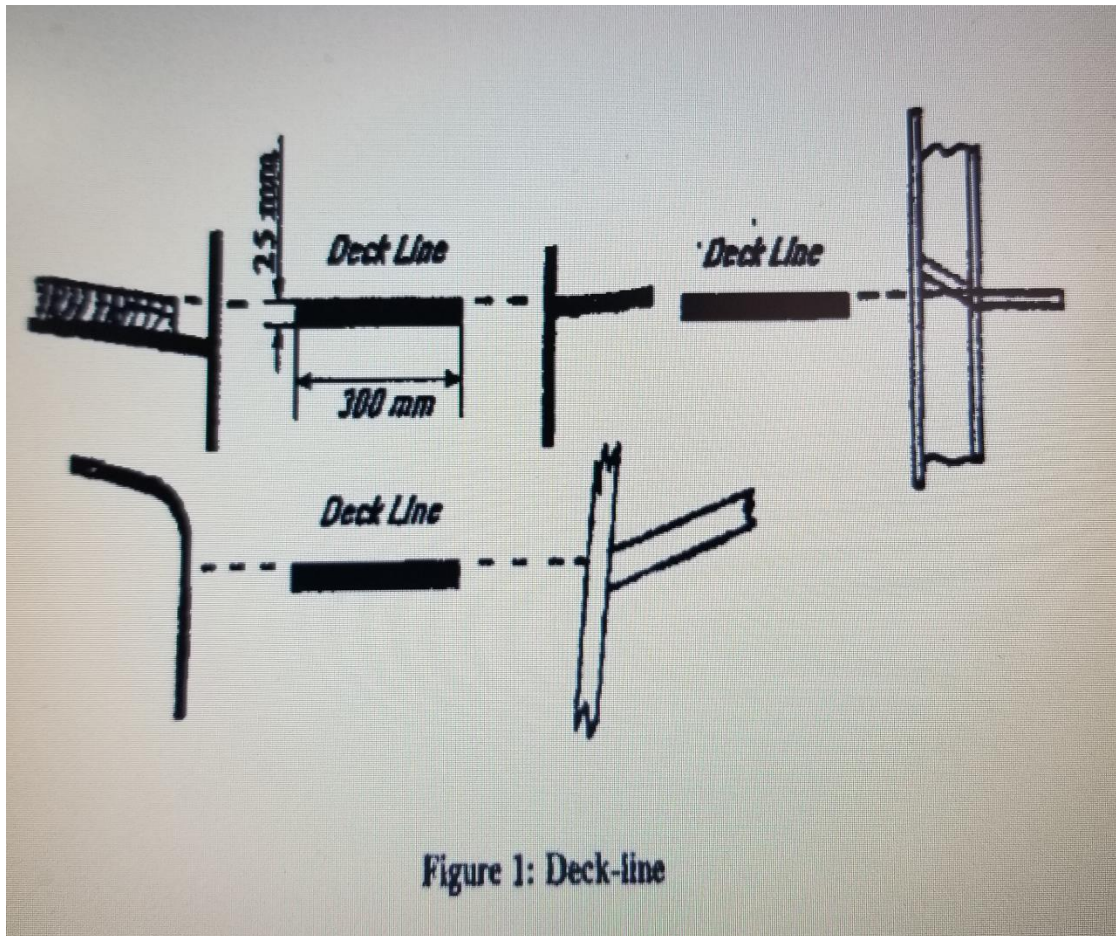


Figure 2

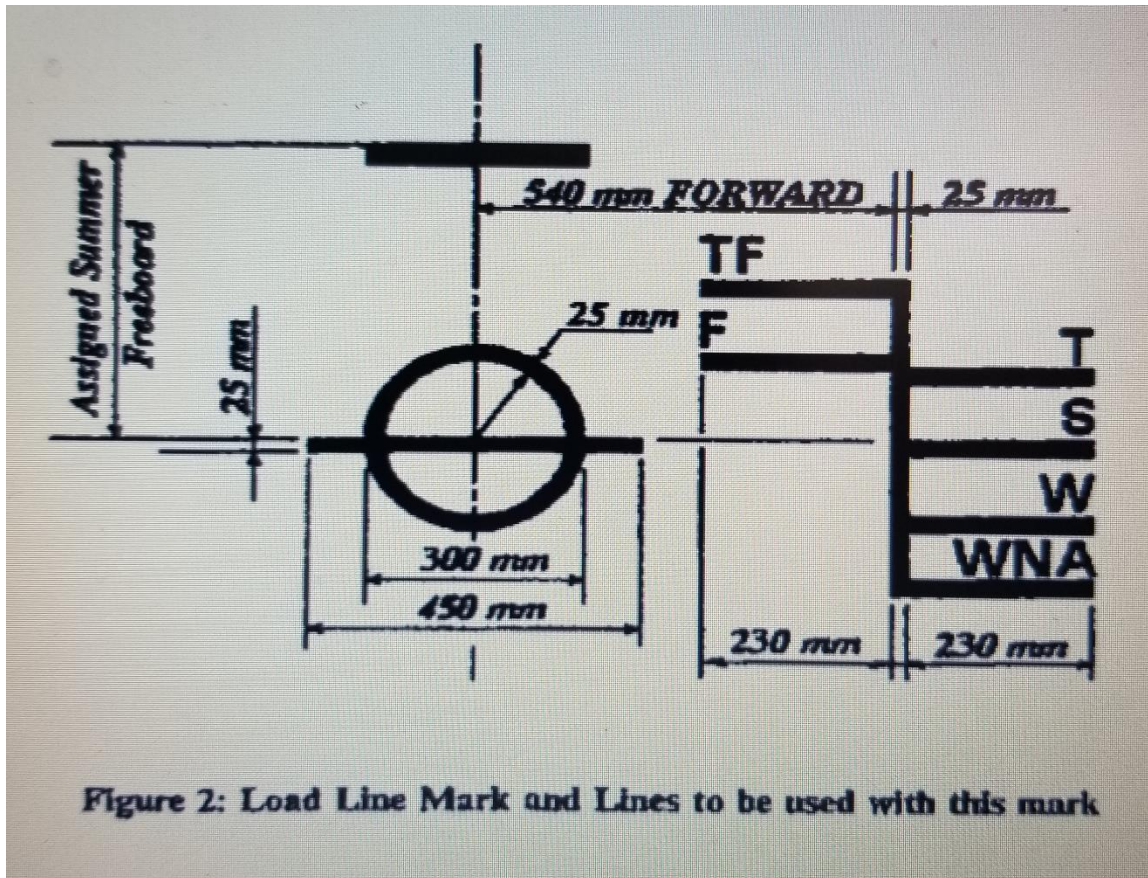


Figure 2: Load Line Mark and Lines to be used with this mark



Figure 3

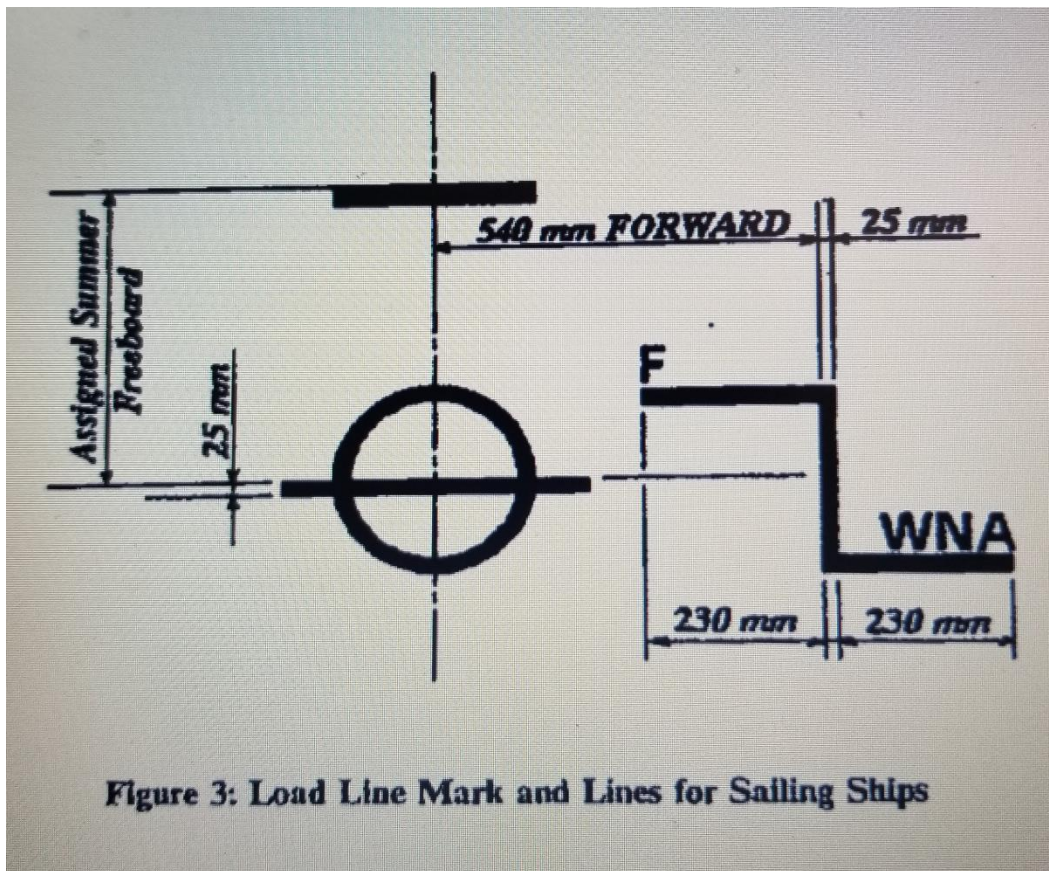


Figure 3: Load Line Mark and Lines for Sailing Ships

Figure 4

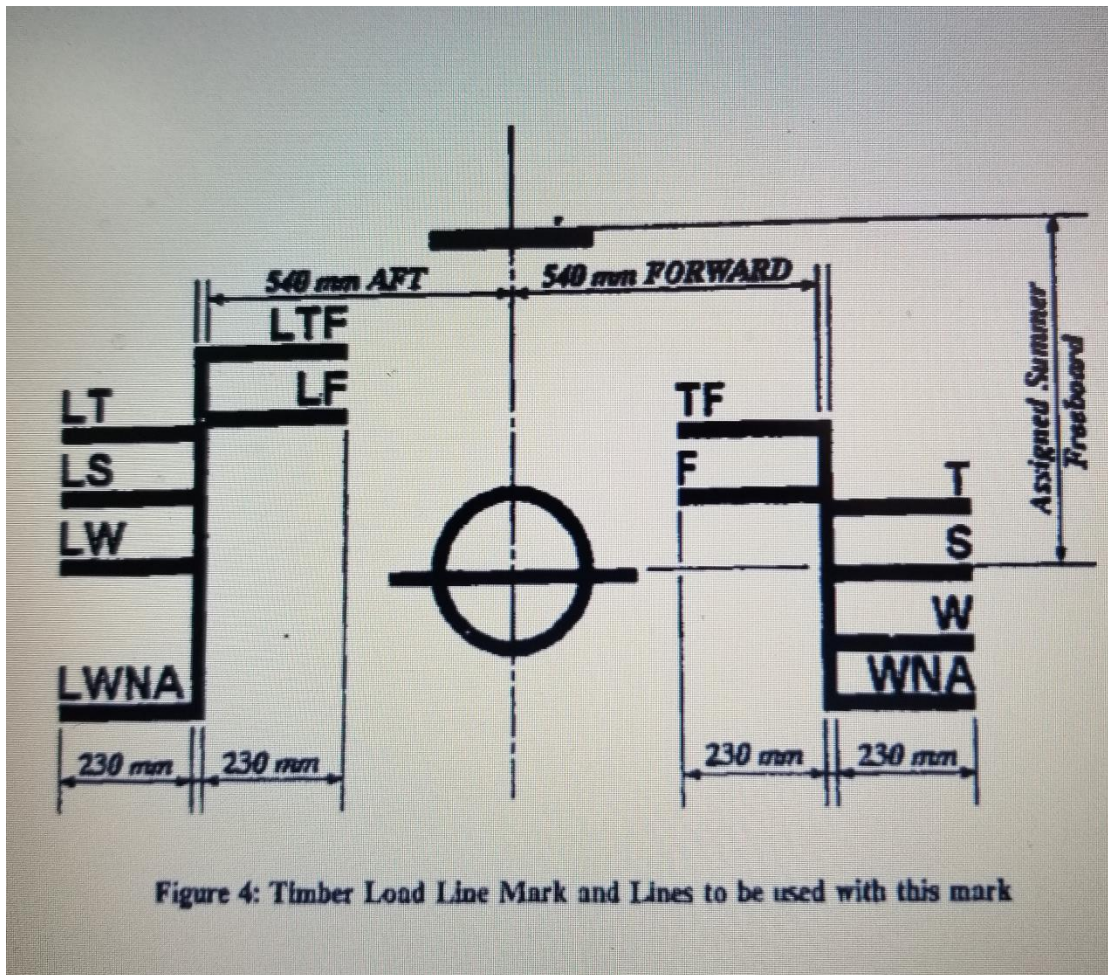


Figure 4: Timber Load Line Mark and Lines to be used with this mark

**Third Schedule**  
**International Load Lines Exemption Certificate**  
**[Made under Regulation 14]**



**SIGNED** on 12 this day of February, 2019.

**(DR. SIRA UBWA MAMBOYA)**  
**MINISTER OF INFRASTRUCTURE, COMMUNICATION**  
**AND TRANSPORTATION**