

THE UNITED REPUBLIC OF TANZANIA



No. 11 OF 1973

I ASSENT,

Julius K. Nyerere
President

23RD JULY, 1974

An Act to impose a Charge upon Passengers embarking on Ships at Ports

[1ST JULY, 1973]

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the Port Service Charge Act, 1973 and shall come into operation on the 1st day of July, 1973. Short title

2. In this Act, unless the context otherwise requires-

Interpreta-
tion

"the charge" means the port service charge imposed by section 3;

"collection agent" means an agent appointed under section 6;

"Minister" means the Minister for the time being responsible for finance;

"passenger" does not include a member of the crew of the ship concerned, or of another ship owned, operated or managed by the same undertaking as owns, operates or manages the ship concerned, when on duty;

"port" means any sea port or inland water port in Tanganyika;

"sea transport undertaking" means an undertaking whose business includes the carriage by sea or inland water of passengers for hire or reward;

"ship" includes any vessel;

- Imposition of Port service charge** **3.-**(1) Subject to the provisions of section 4 and to any exemption granted under section 5, there shall be paid by every passenger on every occasion on which he embarks on a ship at a port in Tanganyika for a journey outside the United Republic, a port service charge of twenty shillings.
- (2) The charge shall be a debt due to the Government and shall be paid prior to embarkation to a collection agent.
- Exemptions from charge** **4.-**(1) There shall be exempt from liability to pay the charge-
- (a) any child under the -age of two years;
- (b) any passenger embarking at a port at which he is in transit.
- (2) For the purposes of subsection (1), a passenger is in transit at a port if he disembarks at such port from a ship and re-embarks on the same ship under the authority of the same ticket issued to him for the journey, prior to such ship's departure for a port outside Tanzania.
- Power to make further exemptions** **5.-**(1) The Minister may, by order published in the *Gazette*, exempt any class of persons from the liability of the charge.
- (2) The Principal Secretary to the Treasury may, by order under his hand, exempt any person or persons from the liability of the charge.
- (3) An exemption under this section may be granted generally or in respect of any particular embarkation.
- Appointment of agents** **6.-**(1) The Minister may appoint any public officer to be the agent for the collection of the charge.
- Acts, 1972
No. 8 (2) Every Immigration Officer appointed under the Immigration Act, 1972 shall be deemed to be a collection agent appointed under subsection (1) for the port at which he is posted in course of his duties as an immigration officer.
- Collection and payment of charge** **7.-**(1) A collection agent posted at a port shall collect the charge from all persons liable to pay the same who embark on any ship at the port.
- (2) The amounts collected by way of the charge shall be paid by the collection agent to the Principal Secretary to the Treasury or a revenue officer in accordance with any directions of the Minister in that behalf.
- (3) All proceeds of the charges received or recovered by the Principal Secretary or a revenue officer under this section shall be paid into the Consolidated Fund.
- Issue of receipts** **8.** Every collection agent who collects the charge from a person liable to pay the same shall-
- (i) where such person is in possession of a ticket for the journey on which he is embarking, issue and attach to the portion of the ticket which is to be retained by the passenger a receipt in the prescribed form, and
- (ii) in any other case, issue a receipt in the prescribed form.

9. Where any person liable to pay the charge refuses or neglects to pay the same, the collection agent or any police officer may-

(a) restrain such person from embarking on a ship; or

(b) if such person has embarked upon a ship, require him to leave the ship, and if such person fails to do so within a reasonable time, may remove him from the ship,

and in restraining or removing any such person, such agent or police officer may use such force as may be reasonably necessary in the circumstances.

Power of
restraint
or removal

10. A revenue officer or any other person authorized in writing by the Principal Secretary to the Treasury may enter upon the premises of any person who owns, operates or manages a sea transport undertaking and may require such person to produce all books, documents and records relating to the embarkation of passengers and may copy extracts therefrom.

Inspection of
records

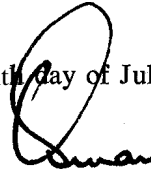
11. Any person who, being liable to pay any port charge, fails to pay the same to the collection agent or who obstructs or hinders a collection agent or a police officer in the execution of his powers under section 9 or a revenue officer or other authorized person in the exercise of his powers under section 10 shall be guilty of an offence and shall be liable on conviction to a fine not exceeding three thousand shillings or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Offences

12. The Minister may make regulations for the better carrying out of this Act and, without prejudice to the generality of the foregoing, for the rendering of returns by collection agents.

Regulations

Passed in the National Assembly on the nineteenth day of July, 1973.



Clerk of the National Assembly