

GOVERNMENT NOTICE No. 10 published on 5/1/2023

THE CIVIL AVIATION ACT,  
(CAP. 80)

REGULATIONS

*(Made under section 4)*

THE CIVIL AVIATION (TRANSPORT OF DANGEROUS GOODS BY AIR) REGULATIONS,  
2024

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THE CIVIL AVIATION ACT,  
(CAP. 80)

REGULATIONS

*(Made under section 4)*

THE CIVIL AVIATION (TRANSPORT OF DANGEROUS GOODS BY AIR) REGULATIONS,  
2024

PART I  
PRELIMINARY PROVISIONS

- Citation                    1. These Regulations may be cited as the Civil Aviation (Transport of Dangerous Goods by Air) Regulations, 2024.
- Application                2. These Regulations shall apply to all international, domestic operations of civil aircraft and any person engaged in or offering to engage in aircraft operations involved in the safe transport of dangerous goods by air.
- Interpretation            3. In these Regulations, unless the context otherwise requires-
- Cap. 80                    “Act” means the Civil Aviation Act;  
“approval” means an authorisation granted by an appropriate national authority for-
- (a) the transport of dangerous goods forbidden on passenger or cargo aircraft where the Technical Instructions state that such goods may be carried with an approval; or
  - (b) other purposes as provided for in the Technical Instructions;
- “Authority” means the Tanzania Civil Aviation Authority established under the Act;
- “cargo aircraft” means any aircraft, other than a passenger aircraft, which is carrying goods or property;
- “company material (COMAT)” means the shipment of non-

revenue (no freight revenue or compensation received) materials and supplies owned by the operator that are shipped by the operator in support of its operations;

“consignment” means one or more packages of dangerous goods accepted by an operator from one shipper at one time and at one address, receipted for in one lot and moving to one consignee at one destination address;

“crew member” means a person assigned by an operator to duty on an aircraft during a flight duty period;

“dangerous goods” means articles or substances which are capable of posing a risk to health, safety, property or the environment and which are shown in the list of dangerous goods in the Technical Instructions or which are classified according to those instructions;

“dangerous goods accident” means an occurrence associated with and related to the transport of dangerous goods by air which results in fatal or serious injury to a person or major property or environmental damage;

“dangerous goods incident” means an occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods by air, not necessarily occurring on board an aircraft, which results in injury to a person, property or environmental damage, fire, breakage, spillage, leakage of fluid or radiation or other evidence that the integrity of the packaging has not been maintained. any occurrence relating to the transport of dangerous goods which seriously jeopardizes the aircraft, or its occupants is also deemed to constitute a dangerous goods incident;

“designated postal operator” means any governmental or non-governmental entity officially designated by relevant authority to operate postal services and to fulfil the related obligations;

“exception” means a provision in this annex which excludes a specific item of dangerous goods from the requirements normally applicable to that item;

- “exemption” means an authorisation, other than an approval, granted by an appropriate national authority providing relief from the provisions of the Technical Instructions;
- “flight crew member” means a licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period;
- “operator” means a person, organisation or enterprise engaged in or offering to engage in an aircraft operation;
- “overpack” means an enclosure used by a single shipper to contain one or more packages and to form one handling unit for convenience of handling and stowage;
- “package” means the complete product of the packing operation consisting of the packaging and its contents prepared for transport;
- “packaging” means receptacles and any other components or materials necessary for the receptacle to perform its containment function;
- “passenger aircraft” means an aircraft that carries any person other than a crew member, an operator’s employee in an official capacity, an authorised representative of an appropriate national authority or a person accompanying a consignment or other cargo;
- “person” means an individual, company, or other entity which has legal rights and is subject to obligations;
- “pilot-in-command” means the pilot designated by the operator, or in the case of general aviation, the owner, as being in command and charged with the safe conduct of a flight;
- “safety management system (SMS)” means a systematic approach to managing safety, including the necessary organisational structures, accountabilities, policies and procedures;
- “serious injury” means an injury which is sustained by a person in an accident and which-
- (a) requires hospitalisation for more than forty-eight hours, commencing within seven days from the date the injury was received;

- (b) results in a fracture of any bone, except simple fractures of fingers, toes or nose;
- (c) involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage;
- (d) involves injury to any internal organ;
- (e) involves second or third degree burns, or any burns affecting more than five *per centum* of the body surface; or
- (f) involves verified exposure to infectious substances or injurious radiation;

“shipping name” means a standard technical name to describe the hazard properties and the composition of dangerous goods;

“States concerned” for the purpose of approvals, means the States of origin and the operator, unless otherwise specified in the Technical Instructions and for the purpose of exemptions, means the States of origin, operator, transit, overflight and destination;

“State of origin” means the State in the territory of which the consignment is first to be loaded on an aircraft;

“State of the operator” means the State in which the operator’s principal place of business is located or, if there is no such place of business, the operator’s permanent residence;

“Technical Instructions” means the Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284), approved and issued periodically in accordance with the procedure established by the ICAO Council;

“UN number” means the four-digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous goods and on the globally harmonised system of classification and labelling of chemicals to identify an article or substance or a particular group of articles or substances; and

“Unit Load Device” means any type of freight container, aircraft container, aircraft pallet with a net, or aircraft pallet with a net over an igloo.

PART II  
TRANSPORTATION OF DANGEROUS GOODS

Approval to  
transport  
dangerous  
goods

4. A person shall not engage in transport of dangerous goods by air unless issued with a specific approval to do so by the Authority and in compliance with the requirements of these Regulations.

Compliance

5.-(1) A person shall comply with these Regulations and the provisions contained in the Technical Instructions on all occasions when dangerous goods are carried, irrespective of whether the flight is wholly or partly within or wholly outside the United Republic.

(2) Where dangerous goods are to be transported outside United Republic, a person shall review and comply with the appropriate variations notified by Contracting States provided for in the Attachment 3 to the Technical Instructions.

(3) Where specifically provided for, in the Technical Instructions, the Authority may grant an approval provided that in such instances an overall level of safety in transport which is equivalent to the level of safety provided for in the Technical Instructions is achieved in the following instances:

- (a) of extreme urgency;
- (b) when other forms of transport are inappropriate;
- or
- (c) when full compliance with the prescribed requirements is contrary to the public interest, the Authority may grant an exemption from the provisions of the Technical Instructions:

Provided that, in such instances every effort shall be made to achieve an overall level of safety in transport which is equivalent to the level of safety provided for in the Technical Instructions.

(4) In the case of overflight, if none of the criteria for granting an exemption are relevant, an exemption may be granted based solely on whether it is believed that an equivalent level of safety in air transport has been achieved.

(5) The Authority shall take the necessary measures

to achieve compliance with the detailed provisions contained in the Technical Instructions and shall also take the necessary measures to achieve compliance with any amendment to the Technical Instructions which may be published during the specified period of applicability of an edition of the Technical Instructions.

(6) Persons performing functions involving the safe transportation of dangerous goods by air are subject to safety oversight inspections programme of the Authority during the performance of those functions.

(7) Subject to subregulation (8), a person's performing functions involving the safe transportation of dangerous goods by air shall grant the Authority free and uninterrupted access to the facilities, aircraft and other areas where these functions are being performed for the purpose of-

- (a) inspecting dangerous goods consignments prepared, offered, accepted or transported by these entities;
- (b) inspecting the procedures and practices of these entities;
- (c) inspecting the required records that must be maintained;
- (d) investigating incidents and alleged violations; and
- (e) other safety oversight functions relating to transportation of dangerous goods.

(8) Persons performing functions involving the safe transportation of dangerous goods by air shall be liable to administrative and enforcement action for failure to comply with these Regulations and the Technical Instructions.

(9) A person shall ensure that he-

- (a) reports to the Authority and the State of origin any occasions when dangerous goods are discovered to have been carried when not loaded, segregated, separated or secured in accordance with the Technical Instructions and without information having been provided to the pilot in command;

(b) accepts, handles, stores, transports, loads and unloads dangerous goods, including COMAT classified as dangerous goods as cargo on board an aircraft;

(c) provides the pilot in command with accurate and legible written or printed information concerning dangerous goods that are to be carried as cargo.

(10) When information about a violation is received from another State, such as when a consignment of dangerous goods is found not to comply with the requirements of the Technical Instructions upon arrival in the United Republic the provisions of these Regulations shall apply.

Dangerous  
goods Technical  
Instructions

6. A person shall not engage in transport of dangerous goods by air unless such operations are carried out in accordance with the latest edition of Technical Instructions and its amendments.

Dangerous  
Goods Manual

7.-(1) A person shall not engage in or offer to engage in aircraft operations involved in the safe transport of dangerous goods by air unless he has dangerous goods manual approved by the Authority.

(2) Subject to subregulation (1), the Dangerous Goods Manual may be part of the Operator's Operations Manual or stand alone provided it is developed in accordance with the Schedule to these Regulations.

Safety  
Management  
System  
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757 of 2018

8. A person who engages in the carriage of dangerous goods by air shall establish and maintain a safety management system commensurate to the size and complexity of the operations in accordance with the Civil Aviation (Safety Management) Regulations.

Postal operator

9.-(1) A person approved as a postal operator shall establish-

(a) procedures for transport of dangerous goods by air in mail; and

(b) dangerous goods training programmes approved by the Authority and the State where the mail is accepted.

(2) For entities other than designated postal operator's the dangerous goods training programme shall be approved by the Authority.

Limitations on transportation of dangerous goods

10.-(1) A person shall take reasonable measures to ensure that, articles and substances that are specifically identified by name or generic description in the Technical Instructions as being forbidden for transport under any circumstances are not carried on any aircraft.

(2) A person shall take reasonable measures to ensure that, articles and substances or other goods that are identified in the Technical Instructions as being forbidden for transport in normal circumstances are transported only when-

(a) they are exempted by the Contracting States concerned under the provisions of the Technical Instructions; or

(b) the Technical Instructions indicate they may be transported under an approval issued by the State of origin of the goods.

(3) The dangerous goods and infected live animals identified in the Technical Instructions are forbidden on aircraft unless exempted by the Authority or the provisions of the Technical Instructions indicate that, they may be transported under an approval granted by the State of origin.

Exceptions

11.-(1) Articles and substances which would otherwise be classified as dangerous goods are excluded from the provisions of these Regulations to the extent specified in the Technical Instructions, provided they are-

(a) required to be on board the aircraft for operating reasons;

(b) carried as catering or cabin service supplies;

(c) carried for use in flight as veterinary aid or as a humane killer for an animal; or

(i) gas cylinders have been manufactured specifically for the purpose of containing and transporting that particular gas;

- (ii) drugs, medicines and other medical matter are under the control of trained personnel during the time when they are in use in the aircraft;
- (iii) equipment containing wet cell batteries is kept and, when necessary, secured in an upright position to prevent spillage of the electrolyte; and
- (iv) proper provision is made to stow and secure all the equipment during take-off and landing and at all other times when deemed necessary by the pilot in command in the interests of safety; or
- (v) they are carried by passengers or crew members.

(2) Articles and substances intended as replacements for those specified in subregulation (1)(a) may be transported on an aircraft as specified in the Technical Instructions.

Notification of variations from Technical Instructions

12.-(1) Where the Authority adopts different provisions from those specified in the Technical Instructions shall notify ICAO promptly of such variations for publication in the Technical Instructions.

(2) The Authority shall take the necessary measures to ensure that, when an operator adopts more restrictive requirements than those specified in the Technical Instructions, the notification of such operator variations is made to ICAO for publication in the Technical Instructions.

Surface transport

13. An operator shall ensure that, a person transporting dangerous goods by surface transport to or from aerodrome shall develop procedures in accordance with the Technical Instructions acceptable to the operator.

Classification

14. A person shall take all reasonable measures to ensure that articles and substances are classified as dangerous goods as specified in the Technical Instructions.

Packing

15.-(1) A person shall ensure that-

- (a) packaging used for the transport of dangerous goods by air are of good quality and constructed and securely closed so as prevent leakage which might be caused in normal conditions of transport due to changes in temperature, humidity, pressure or vibration;
- (b) packaging is suitable for the contents, and packaging in direct contact with dangerous goods shall be resistant to any chemical or other action of such goods;
- (c) packaging meets the material and construction specifications in the Technical Instructions;
- (d) packaging is tested in accordance with the provisions of the Technical Instructions;
- (e) packaging for which retention of a liquid is a basic function are capable of withstanding, without leaking, the pressure stated in the Technical Instructions; and
- (f) inner packaging is packed, secured or cushioned as to prevent their breakage or leakage and to control their movement within the outer packaging during normal conditions of air transport and the cushioning and absorbent materials will not react dangerously with the contents of the packaging.

(2) A person shall not reuse packaging unless the packaging is inspected and found free from corrosion or other damage and where a packaging is reused, all necessary measures shall be taken to prevent contamination of subsequent contents.

(3) Where, due to the nature of their former contents, uncleaned empty packaging is likely to present a hazard, the packaging shall be tightly closed and treated according to the hazard they constitute.

(4) A person shall ensure that no harmful quantity of a dangerous substance shall adhere to the outside of packages.

Labelling and marking

16.-(1) A person shall take all reasonable measures to ensure that packages, over packs and freight containers are

labelled and marked as specified in the Technical Instructions.

(2) Unless otherwise provided for in the Technical Instructions-

(a) each package of dangerous goods shall be marked with the proper shipping name of its contents and, when assigned, the UN number and such other markings as may be specified in those Instructions; and

(b) each packaging manufactured to a specification contained in those Instructions shall be so marked in accordance with the appropriate provisions of those Instructions and no packaging shall be marked with a packaging specification marking unless it meets the appropriate packaging specification contained in those Instructions.

(3) Where dangerous goods are carried on a flight which takes place wholly or partly outside the United Republic, the person shall ensure that labelling and marking are in the English and where another language is used, an English translation shall be included.

PART III  
RESPONSIBILITIES FOR CARRIAGE OF DANGEROUS  
GOODS BY AIR

Separation,  
segregation and  
securing of  
dangerous  
goods

17.-(1) A person shall ensure that packages-

(a) containing dangerous goods which might react dangerously with one another shall not be stowed on an aircraft next to each other or in a position that would allow interaction between them in the event of leakage;

(b) of toxic and infectious substances shall be stowed on an aircraft in accordance with the provisions of the Technical Instructions; and

(c) of radioactive materials shall be stowed on an aircraft so that they are separated from persons, live animals and undeveloped film, in accordance with the provisions in the Technical Instructions.

(2) For packages containing radioactive materials, the securing shall be adequate to ensure that the separation requirements of this regulation are met at all times.

(3) Subject to provisions of these Regulations, when dangerous goods are loaded in an aircraft, the operator shall protect the dangerous goods from being damaged, and shall secure such goods in aircraft in a manner that will prevent any movement in-flight which would change the orientation of the packages.

Dangerous  
goods transport  
document

18.-(1) A person shall ensure that, dangerous goods are accompanied by a dangerous goods transport document except where otherwise specified in the Technical Instructions.

(2) A person shall ensure that, the transport document bears a declaration signed by the person who offers dangerous goods for transport indicating that, the dangerous goods are fully and accurately described by their proper shipping names and that they are classified, packed, marked, labelled and in proper condition for transport by air in accordance with these Regulations.

(3) In the case where dangerous goods are carried on a flight which takes place wholly or partly outside the United Republic, a person shall ensure that English language shall be used and where different language is used, an English translation shall be included for the dangerous goods transport document.

Acceptance of  
dangerous  
goods

19. An operator shall not accept dangerous goods transport by air unless -

- (a) the dangerous goods are accompanied by a completed dangerous good transport document, except where technical instructions indicate that such a document is not required; and
- (b) the package, overpack or freight container containing dangerous goods has been inspected in accordance with accepted procedures contained in the Technical Instructions.

Acceptance  
checklist

20. A person shall develop and use an acceptance checklist as an aid to compliance with these Regulations.

Inspection for  
damage leakage  
or  
contamination

21. A person shall ensure that-
- (a) packages, over packs and freight containers are inspected for evidence of leakage or damage immediately prior to loading on an aircraft or into a Unit Load Device, as specified in the Technical Instructions;
  - (b) a Unit Load Device is not loaded on an aircraft unless it has been inspected as required by the Technical Instructions and found free from any evidence of leakage from, or damage to, the dangerous goods contained therein;
  - (c) leaking or damaged packages, over packs or freight containers are not loaded on an aircraft;
  - (d) any package of dangerous goods found on an aircraft, and which appears to be damaged, or leaking is removed, or arrangements made for its removal by an appropriate authority or organisation;
  - (e) after removal of any leaking or damaged goods, the remainder of the consignment is inspected to ensure it is in a proper condition for transport and that no damage or contamination has occurred to the aircraft or its load; and
  - (f) packages, over packs and freight containers are inspected for signs of damage or leakage upon unloading from an aircraft or from a Unit Load Device and, if there is evidence of damage or leakage, the area where the dangerous goods were stowed shall be inspected for damage or contamination.

Loading  
restrictions in  
passenger cabin  
or on flight deck

22. A person shall ensure that-
- (a) dangerous goods are not carried in an aircraft cabin occupied by passengers or in the cockpit, unless otherwise specified in the Technical Instructions;

- (b) dangerous goods are loaded, segregated, stowed and secured on an aircraft as specified in the Technical Instructions;
- (c) packages of dangerous goods bearing the “Cargo Aircraft Only” label shall be loaded in accordance with the provisions in the Technical Instructions; and
- (d) packages and overpacks containing dangerous goods and freight containers containing radioactive materials shall be loaded and stowed on an aircraft in accordance with the provisions of the Technical Instructions.

Removal of contamination

23. A person shall ensure that-
- (a) any contamination found as a result of the leakage or damage of dangerous goods is removed without delay; and
  - (b) an aircraft which has been contaminated by radioactive materials is immediately taken out of service and not returned until the radiation level at any accessible surface and the no fixed contamination are not more than the values specified in the Technical Instructions.

Loading on cargo aircraft

24. Packages of dangerous goods bearing the “Cargo Aircraft Only” label shall be loaded in accordance with the provisions in the Technical Instructions.

Provision of information

- 25.-(1) A person shall ensure that-
- (a) information is provided to enable ground staff to carry out their duties with regard to the transport of dangerous goods, including the actions to be taken in the event of emergencies, incidents and accidents involving dangerous goods;
  - (b) information for transportation of dangerous goods is provided to the handling agent;
  - (c) information is promulgated as required by the Technical Instructions so that passengers are warned as to the types of goods which they are forbidden from transporting on board an aircraft;

- (d) the handling agent provides notices at acceptance points for cargo giving information about the dangerous goods;
  - (e) information is provided in the operations manual to enable crew members to carry out their responsibilities in regard to the transport of dangerous goods, including the actions to be taken in the event of emergencies involving dangerous goods;
  - (f) the pilot-in-command is provided with written information on dangerous goods carried on board the aircraft in the manner and form specified in the Technical Instructions;
  - (g) if an in-flight emergency occurs, the pilot-in-command shall, as soon as the situation permits, inform the appropriate air traffic services unit, for the information of aerodrome authorities, of any dangerous goods on board the aircraft, as provided for in the Technical Instructions; and
  - (h) all personnel, including third party personnel, involved in the acceptance, handling, loading and unloading of cargo are informed of the operator's specific approval and limitations with regard to the transport of dangerous goods.
- (2) A person that is involved in an aircraft incident or accident shall-
- (a) as soon as possible, inform the Authority and the appropriate authority of the State in which the aircraft incident or accident occurred of any dangerous goods carried;
  - (b) on request by the Authority, provide any information required to minimise the hazards created by any dangerous goods carried;
  - (c) provide information, when carrying dangerous goods as cargo on board without delay, to emergency services responding to the accident or serious incident as shown on the written information to the pilot in command; and
  - (d) provide information, if requested to do so, without delay to emergency services responding

to the incident and to the appropriate authority of the State in which the incident occurred, about the dangerous goods on board, as shown on the written information to the pilot in command.

Training  
programmes

26.-(1) A person shall establish and maintain initial and recurrent dangerous goods training programmes, which shall be approved by the Authority in accordance with the Technical Instructions.

(2) Dangerous goods training programmes are required for all operators regardless of whether or not they are approved to transport dangerous goods.

(3) Dangerous goods training programmes for entities other than operators and designated postal operators shall be approved as determined by the Authority.

(4) Persons holding approval for the transport of dangerous goods shall ensure-

- (a) all staff who require dangerous goods training receive recurrent training at intervals of no longer than two years;
- (b) the records of dangerous goods training are maintained for all staff trained in accordance with the provisions of this regulation; and
- (c) handling agents staff are trained in accordance with the Technical Instructions.

Cooperation  
between States

27.-(1) United Republic shall participate in cooperative efforts with other States concerning violations of dangerous goods regulations, with the aim of eliminating such violations.

(2) Cooperative efforts shall include coordination of investigations and enforcement actions; exchanging information on a regulated party's compliance history, joint inspections and other technical liaisons, exchange of technical staff, and joint meetings and conferences.

(3) Appropriate information that can be exchanged shall include:

- (a) safety alerts;
- (b) bulletins or dangerous goods advisories;
- (c) proposed and completed regulatory actions;

- (d) incident reports;
- (e) documentary and other evidence developed in the investigation of incidents;
- (f) proposed and final enforcement actions; and
- (g) educational or outreach materials suitable for public dissemination.

Dangerous  
goods by mail

28.-(1) The procedures of designated postal operators for controlling the introduction of dangerous goods in mail into air transport shall be acceptable to the operator.

(2) Subject to the Universal Postal Union (UPU) which light Convention, dangerous goods are not permitted in mail, or their introduction into air transport through the postal service except as provided for in the Technical Instructions.

(3) The procedures established by designated postal operators to control the introduction of dangerous goods into air transport shall be in accordance with the Technical Instructions acceptable to the operator.

Dangerous  
Goods accident  
and incident  
reporting

29.-(1) Procedures for investigating, compiling information, and reporting accidents and incidents which occurs within the United Republic, and which involve the transport of dangerous goods originating in or destined for another State shall be in accordance with detailed provisions of the latest edition of Technical Instructions and in accordance with the Civil Aviation (Aircraft Accident and Incident Investigation) Regulations.

(2) A person shall not hinder the investigation and compilation of information concerning undeclared or mis-declared dangerous goods which may occur in the United Republic involving transportation of dangerous goods by air originating in or destined for another State.

(3) The Authority shall establish procedures for investigating and compiling information concerning undeclared and mis-declared of dangerous goods which occur in the United Republic.

(4) Reports on such instances of undeclared or mis-declared dangerous goods in cargo shall be made in

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accordance with the detailed provisions of the latest edition of the Technical Instructions and its amendments.

Dangerous  
Goods security  
provisions

30.-(1) A person, shippers, operators and other individuals engaged in the transport of dangerous goods by air, shall establish and implement security measures to be taken to minimize theft or misuse of dangerous goods that may endanger persons, property or the environment.

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(2) The Security measures referred to under subregulation (1), shall be commensurate with security provisions specified in the Civil Aviation (Security) Regulations and the Technical Instructions.

#### PART IV GENERAL PROVISIONS

Possession of  
the licence,  
certificate,  
approval or  
authorisation

31. A holder of a licence, certificate, approval or authorisation issued by the Authority shall have in his physical possession or at the workstation when exercising the privileges of that licence, certificate, approval or authorisation.

Inspection of  
licences,  
certificates,  
approval or  
authorisation

32. A person who holds a licence, certificate, approval or authorisation required by these Regulations shall present the licence, certificate, approval or authorisation for inspection upon a request from the Authority or any other person authorised by the Authority.

Change of  
address

33.-(1) A holder of a licence, certificate, approval or authorisation, or any other such document issued under these Regulations shall notify the Authority of any change in the physical and mailing address and shall do so in the case of-

- (a) physical address, at least fourteen days before the change; and
- (b) mailing address, upon the change.

(2) A person who does not notify the Authority of the change in the physical address within the time frame specified in subregulation (1) shall not exercise the privileges of the certificate or authorisation.

Replacement of  
licence,  
certificate,  
approval or  
authorisation

34. A person may apply to the Authority in a form and manner determined by the Authority in the applicable technical guidance material for replacement of documents issued under these Regulations when such documents are lost or destroyed.

Compliance  
by foreign  
operator  
with laws,  
regulations  
and  
procedures  
of Authority

35.-(1) When the Authority identifies a non-compliance by a foreign operator with laws, regulations and procedures applicable within the United Republic or a similar serious safety issue with that operator, the Authority shall immediately notify the operator and, where the issue warrants it, to the State of operator.

(2) In case the State of operator and the State of registry are different, the notification under subregulation (1), shall be made to the State of registry, where the issue falls within the responsibilities of that State and warrants a notification.

(3) In the case of notification to States as specified in subregulations (1) and (2), where the issue and its resolution warrant it, the State in which the operation is conducted shall engage in consultations with State of operator and the State of Registry, concerning the safety standards maintained by the operator.

(4) A crew member of a foreign registered aircraft shall hold a valid licence, certificate, approval or authorisation and have in his physical possession or at the work station when exercising the privileges of that licence, certificate, approval or authorisation.

Suspension  
and  
revocation of  
licence,  
certificate,  
approval or  
authorisation

36.-(1) The Authority may, where it considers it to be in public interest, suspend provisionally, pending further investigation, any licence, certificate, approval, authorisation or any such other document issued under the relevant regulations.

(2) The Authority may, upon the completion of an investigation which has shown sufficient ground to the Authority's satisfaction and where it considers it to be in public interest, revoke, suspend or vary any licence,

certificate, approval, authorisation or any other document issued or granted under the relevant regulations.

(3) The Authority may, where it considers it to be in public interest, prevent any person or aircraft from flying.

(4) An operator or a person having the possession or custody of any licence, certificate, approval, authorisation or any such other documents which have been revoked, suspended or varied under these Regulations shall surrender the licence, certificate, approval, authorisation or such other documents to the Authority within fourteen days from the date of revocation, suspension or variation.

(5) The breach of any condition subject to which any licence, certificate, authorisation or any such other document has been granted or issued under these Regulations shall render the document invalid during the continuance of the breach.

Use and retention of licence, certificate, authorisation and records

37.-(1) A person shall not-

- (a) use any licence, certificate, approval, authorisation, or such other document issued or required under these Regulations which has been forged, altered, revoked, or suspended, or to which that person is not entitled;
- (b) forge or alter any licence, certificate, approval, authorisation or any such other document issued or required by, or under these Regulations;
- (c) lend any licence, certificate, approval, authorisation or any such other document issued or required under these Regulations to any other person; or
- (d) make any false representation for the purpose of procuring for himself or any other person the issue, renewal or variation of the licence, certificate, approval, authorisation or any such other document.

(2) During the period for which it is required under these Regulations to be preserved, a person shall not mutilate, alter, render illegible or destroy any records, or any entry made therein, to be maintained, or knowingly make, or procure or assist in the making of, any false entry in any such

record, or wilfully omit to make a material entry in such record.

(3) All records required to be maintained by or under these Regulations shall be recorded in a permanent and indelible material.

(4) A person shall not purport to issue any licence, certificate, approval, authorisation or any such other document for the purpose of these Regulations unless he is authorised to do so under these Regulations.

(5) A person shall not issue any licence, certificate, approval, authorisation any such other document of the kind referred to in these Regulations unless he has satisfied himself that all statements in the licence, certificate, approval, authorisation any such other document are correct, and that the applicant is qualified to hold that licence, certificate, approval, authorisation or any such other document.

Reports of violation

38.-(1) A person who knows of a violation of the Act, or any rules, regulations or orders made thereunder, shall report it to the Authority.

(2) The Authority shall determine the nature and type of any additional investigation or enforcement action that shall be taken.

Enforcement of directives

39.-(1) A person who fails to comply with any directives given to him by the Authority or by any authorised person under any provisions of these Regulations shall be deemed for the purposes of these Regulations to have contravened that provision.

(2) The Authority shall take enforcement action on any regulated entity that fails to comply with any provisions of these Regulations.

(3) The inspectors of the Authority holding valid delegations shall take necessary actions to preserve safety where an undesirable condition has been detected.

(4) The actions referred to in subregulation (2) shall include:

(a) in the case of a regulated entity, imposition of operating restrictions until such a time the

existing undesirable condition has been resolved;  
or

(b) in the case of a licensed personnel, require that the individual does not exercise the privileges of the licence until such a time that the undesirable condition has been resolved.

(c) licensed personnel, require that the individual does not exercise the privileges of the licence until such a time that the undesirable condition has been resolved.

(5) In carrying out enforcement actions pursuant to the provisions of subregulation (3), the Inspectors of the Authority shall invoke the powers with due diligence and act in good faith in the interest of preserving safety.

Aeronautical  
user fees

40.-(1) The Authority shall notify applicants of the fees to be charged in connection with the issue, renewal, extension or variation of any licence, certificate, approval, authorisation or such other document, including the issue of a copy thereof, or the undergoing of any examination, test, inspection or investigation or the grant of any permission or approval, required by, or for the purpose of these Regulations, any orders, notices or proclamations made thereunder.

(2) Upon an application being made in connection with which any fee is chargeable in accordance with subregulation (1), the applicant shall be required, before the application is entertained, to pay the fee so chargeable.

(3) Where the payment of fees has been made and the application is withdrawn by the applicant or otherwise ceases to have effect or is rejected, the Authority shall not refund such payment.

## PART V

### OFFENCES AND PENALTIES

Contravention  
of these  
Regulations

41. A person who contravenes any provision of these Regulations may have his certificate, licence, approval, authorisation or such other document revoked or suspended by the Authority.

Offences and penalties

42.-(1) A person who contravenes any provision of these Regulations commits an offence and on conviction shall be liable to a fine of not less than the equivalent in Tanzanian shillings of United States dollars one thousand or imprisonment for a term not less than twelve months or to both.

(2) In the case of a continuing contravention, each day of the contravention shall constitute a separate offence and shall be liable to an additional fine of not less than the equivalent in Tanzanian shillings of United States dollars five hundred for each day the offence continues.

(3) Where it is proved that an act or omission of any person, which would otherwise have been a contravention by that person of a provision of these Regulations was due to any cause not avoidable by the exercise of reasonable care by that person, the act or omission shall not be deemed as a contravention by that person of that provision.

—————  
SCHEDULE  
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*(Made under regulation 7)*

DANGEROUS GOODS MANUAL

PARTICULARS OF A DANGEROUS GOODS MANUAL

1.0 FORMAT

- (a) The manual should be whole or in part in printed form, or other form acceptable to the Authority.
- (b) The manual is required to be in a format which is easy to revise with clear and concise content.
- (c) The manual is required to comply with the provisions of these Regulations.
- (d) The manual covers all personnel responsible for transport of dangerous goods related job functions.
- (e) The manual may be maintained in paper format or electronically.
- (f) The manual should be signed by the Accountable Executive.

2.0 CONTENTS OF THE DANGEROUS GOODS MANUAL

2.1 PART A: GENERAL

- (a) Title.
- (b) Purpose.
- (c) References.
- (d) Definitions.
- (e) Abbreviations.
- (f) List of effective pages and revision pages.
- (g) Corporate Commitment statement.
- (h) Base Locations description of facilities, security for equipment, supplies and data.
- (i) Scope of the manual.
- (j) Amendment procedure of the manual.
- (k) Basic description of operations personnel.
- (l) Notification Procedure to Authority.

The details which may be included in relation to each item, or whether any particular item needs to be included at all, depends upon the operator's policy in relation to carriage of dangerous goods.

2.2 PART B: DETAILS OF THE DANGEROUS GOODS MANUAL

- (a) Operator Company policy statement.
- (b) The requirement for employees to comply with the instructions contained in the manual.
- (c) Instructions to employees covering the dangerous goods which may be carried on the operator's aircraft including where applicable:
  - (i) dangerous goods not to be carried.

- (ii) dangerous goods of the operator.
- (iii) dangerous goods carried on special operations (e.g., Search and rescue, air ambulance etc).
- (d) Authority permissions related to the carriage of dangerous goods.
- (e) Identity of employees authorised to accept cargo dangerous goods, and to approve carriage of passenger or crew dangerous goods that require operator approval for carriage (may be expressed by name or title). Where this responsibility is contracted to a ground handling agent, a reference to that arrangement should be made.
- (f) Responsibilities for keeping the dangerous goods manual fully amended and up to date.
- (g) Procedures for accepting and of handling dangerous goods and the operators' acceptance checklist.
- (h) Storage and segregation before loading.
- (i) Aircraft loading procedures to ensure that "cargo aircraft only" packages are not loaded onto passenger aircraft.
- (j) Retention of dangerous goods documentation.
- (k) For dangerous goods carried on aircraft engaged in special operations such as Search and rescue, air ambulance, forestry, horticultural or pollution control or where a humane killer for an animal is carried, stowage, handling and use on the aircraft in flight.
- (l) Actions to be taken in the event of accidental activation or spills of the dangerous goods on the aircraft in flight.
- (m) Dangerous goods carried by passengers and crew and dangerous goods which passengers are permitted to carry on board on their person or in their checked or carry-on baggage, including the procedures and responsibilities for obtaining and granting operator approval for those items that may only be carried with the approval of the operator.
- (n) Provision of information to passengers at passenger check-in points and ticketing areas.
- (o) Screening of passenger's carry-on baggage for dangerous goods in conjunction with the security screening check where the operator is also the Screening Authority.
- (p) Disposal of dangerous goods surrendered by passengers at security screening (where the operator is the Screening Authority) and in flight.
- (q) Instructions related to company aircraft, aircraft hold diagrams and numbering system.
- (r) Specific instructions relating to stowage of radioactive materials, (transport index limits) dry ice and magnetised material on the operator's aircraft.
- (s) Procedures for reporting dangerous goods incidents including.
  - (i) Definition of a dangerous goods incident.
  - (ii) Responsibilities of individual employees to report.
  - (iii) Initial action.
  - (iv) Follow-up action.
- (t) Precautions against hidden hazards in cargo consignments and passenger's baggage
- (u) Common mis-declared items (may be based on experience).
- (v) Requirements for a consignor of cargo to make a signed statement of contents of the cargo and the document on which the statement should be made may not be applicable to foreign operators carrying cargo originating outside State).

- (w) Procedures for ensuring that the statement of contents from the consignor (original consignor or a freight forwarder) is received before the cargo is loaded onto the operator's aircraft.
- (x) Procedures for undeclared dangerous goods.
- (y) Provision of information to shippers and freight forwarders in areas where cargo is lodged with the operator.
- (z) Dangerous goods training and responsibilities for conduct of training and maintenance of dangerous goods training records.

### 3.0 PROCEDURES AND INFORMATION REQUIRED

Operators are required to ensure the procedures and information contained in the manual are sufficient to assist personnel in identifying packages marked or labelled as containing dangerous goods, or show signs of containing undeclared dangerous goods, including:

- (a) Procedures for rejecting packages that do not conform to the regulatory requirements for dangerous goods, or certificate holder's policies, where appropriate, or appear to contain undeclared dangerous goods.
- (b) Procedures for reporting dangerous goods incidents, discrepancies and apparent violations as cargo, mail, COMAT, or carried by passengers.
- (c) Disclosure Reporting Program, as appropriate, as a minimum; and Information regarding the operator's dangerous goods policies, including whether the certificate holder is authorised to carry, or prohibited from carrying, dangerous goods.
- (d) The operators' policy on carriage of dangerous goods will determine the extent and nature of instructions which the operator is required to issue to employees in the dangerous goods manual. For example, an operator who carries only those dangerous goods permitted by the regulations to be carried in passengers checked or carry-on baggage need only include in the manual relevant instructions to those employees responsible for activities associated with handling passengers' baggage. In those circumstances, the dangerous goods manual would also not need to be distributed more widely than to the employees to whom the instructions apply.
- (e) Where an operator chooses to carry all dangerous goods permitted by these Regulations, more detailed instructions to employees would be appropriate.
- (f) An operator need not include in the Dangerous Goods Manual the technical detail which may be found in another manual such as the Technical Instructions and IATA Dangerous Goods Regulations.
- (g) When formulating policy on the carriage of dangerous goods, operators should be aware that the Authority may not issue Specific Approval under these Regulations for the carriage of a class of dangerous goods not covered in the operator's Dangerous Goods Manual.

### 4.0 APPROVAL BY THE AUTHORITY

The manual requires the approval of the Authority prior to implementation. The manual should clearly identify the person, with responsibility and authority for ensuring that the Authority is provided a copy of the manual, and for providing the Authority all updates and revisions.

### 5.0 DANGEROUS GOODS MANUAL MANAGEMENT AND INTERFACES

- (a) An operator may provide the dangerous Goods Manual separately or include it in the Operator's Operations Manual. Where it is decided to include the Dangerous Goods Manual in the operations manual it is recommended that it be placed in an easily identified segment so that it may be readily located.

- (b) The manual should include a procedure for ensuring that only authorised dangerous goods documents are available.
  - (c) The manual should include a procedure to prevent the use of obsolete dangerous goods documents; and indicate the procedures needed to address system security to prevent inadvertent changes to the software manual.
  - (d) Information contained in the dangerous goods manual should be readily accessible to all relevant company employees, including any ground handling agent who is acting for or on behalf of the operator.
- 5.1 Responsibility or Authority  
Refer to other documents that identify or clearly delineate the accountable manager, by title or job description, who is responsible for the manual, and all management personnel with the authority to act on behalf of the accountable manager.
- 5.2 Revisions
- (a) Title or job description of the person responsible for revising and maintaining the manual should be defined.
  - (b) Develop procedures to ensure that only authorised personnel revise the manual.
  - (c) Identify who, by title or job description, will be authorised to make revisions, and how that person is authorised to do so.
  - (d) Explain how the certificate holder ensures that the manual is current.
  - (e) Describe the process for making revisions; and
  - (f) Explain how the revisions are identified, distributed, and promoted, throughout the certificate holder's transportation system.
- 5.3 Distribution, Availability or Publication.  
Identify the process that verifies the manual is distributed to all remote station users or dangerous goods personnel (including contract personnel acting on behalf of the certificate holder) who need it to perform their duties. Include in this process measures to ensure version control.

Dodoma,  
15<sup>th</sup> December, 2023

MAKAME M. MBARAWA,  
*Minister for Transport*