

Tanzania

Motor Vehicle Driving Schools (Licensing) Act Chapter 163

Legislation as at 31 July 2002

FRBR URI: /akn/tz/act/1965/14/eng@2002-07-31

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PDF created on 20 April 2024 at 14:29.

Collection last checked for updates: 31 July 2002.

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Motor Vehicle Driving Schools (Licensing) Act

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Motor Vehicle Driving Schools (Licensing) Act

Chapter 163

Published in Tanzania Government Gazette

Commenced on 26 March 1965

[This is the version of this document at 31 July 2002.]

[Note: This legislation has been thoroughly revised and consolidated under the supervision of the Attorney General's Office, in compliance with the Laws Revision Act No. 7 of 1994, the Revised Laws and Annual Revision Act (Chapter 356 (R.L.)), and the Interpretation of Laws and General Clauses Act No. 30 of 1972. This version is up-to-date as at 31st July 2002.]

[Act No. 14 of 1965; R.L. Cap. 584]

An Act to provide for the licensing of proprietors of motor vehicle driving schools and the prescription of qualifications for driving instructors and for connected matters.

1. Short title

This Act may be cited as the Motor Vehicle Driving Schools (Licensing) Act.

2. Interpretation

In this Act, unless the context otherwise requires—

"**driving school**" means any establishment in or by which instruction in the driving of motor vehicles is given for reward, and includes any person who gives instruction for reward otherwise than in the course of employment by the proprietor of a driving school;

"**proprietor of a driving school**" includes any person who gives instruction for reward otherwise than in the course of employment by a proprietor of a driving school;

"**the Minister**" means the Minister for the time being responsible for Road Traffic.

3. Licensing of proprietors of driving schools

- (1) The Minister may make regulations for the licensing of proprietors of driving schools.
- (2) In addition to any provision which may be made under [section 5](#), regulations made under this section may—
 - (a) prescribe licensing authorities;
 - (b) prescribe the terms and conditions on which licences may be granted and renewed and those in which licences may be revoked; and
 - (c) limit the number of licences that may be granted in any area.
- (3) After the expiration of six months from the commencement of the first regulations made under subsection (1) of this section, no person shall give or offer to give any driving instruction for reward unless he is licensed as the proprietor of a driving school under regulations made under that subsection, or he is employed as a driving instructor by a person so licensed and such instruction is given or is to be given in the course of such employment.
- (4) Any person who contravenes the provisions of subsection (3) of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand shillings.

4. Regulations regarding driving instructors

- (1) The Minister may make regulations prescribing the qualifications, testing and registration of driving instructors.
- (2) After the expiration of six months from the commencement of the first regulations made under subsection (1) of this section—
 - (a) no person shall give any driving instruction for reward unless he has the qualifications for driving instructors, and has passed any test and is registered in any manner, prescribed by regulations made under that subsection;
 - (b) no proprietor of a driving school shall employ any person to give driving instruction unless that person has qualifications, after passing any such test, and is registered accordingly.
- (3) Any person who contravenes the provisions of subsection (2) of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand shillings.

5. Additional regulations

- (1) The Minister may make regulations:—
 - (a) prescribing a uniform code of driving instruction to be observed by driving schools;
 - (b) prescribing the vehicles and equipment to be used by driving schools for the purpose of driving instruction;
 - (c) prescribing the marks to be exhibited on motor vehicles used by driving schools for the purpose of driving instruction;
 - (d) prescribing the maximum charges, or authorising licensing authorities to fix within such limits as may be prescribed the maximum charges, which may be charged for driving instruction;
 - (e) providing for the inspection of driving schools and vehicles and equipment used by driving schools for the purpose of driving instruction, and of the books and accounts of driving schools;
 - (f) prescribing the fees to be paid on the grant or renewal of licences, for any test and for any registration, under this Act; and
 - (g) making such other provision as is incidental to the licensing of driving schools and to the prescription of the qualifications, testing and registration of driving instructors.
- (2) There may be annexed to the breach of any regulation under this Act, a penalty not exceeding a fine of two thousand shillings.

6. Offences by corporations, etc.

Where any offence against this Act or any regulations made hereunder is committed by a corporation, firm or other association, every person who at the time of the offence was a director, manager, secretary or other similar officer of such corporation, firm or association, or who was at the time concerned or purported to act in the management of its affairs, shall be severally liable to prosecution and punishment in like manner as if he had himself committed the offence unless he took all reasonable steps to prevent its commission.

7. Exceptions

Nothing in this Act shall apply to any person in the service of the United Republic or any self-contained service thereof, who gives driving instruction in the course of his duties.