

Tanzania

Tanzania Communications Act

Tanzania Postal Regulations, 2001

Government Notice 319 of 2001

Legislation as at 31 July 2002

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Tanzania Postal Regulations, 2001

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Tanzania Postal Regulations, 2001

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[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.]

[G.N. No. 319 of 2001]

1. Citation

These Regulations may be cited as the Tanzania Postal Regulations.

2. Interpretation

In these Regulations, except where the context otherwise requires—

"**Act**" means the Tanzania Communications Act¹;

"**Commission**" means the Tanzania Communications Commission established under section 3 of the Act;

"**Corporation**" means the Tanzania Posts Corporation established under section 3 of the Tanzania Posts Corporation Act²;

"**courier service**" means any specialised service for the speedy collection, conveyance and delivery of postal articles other than letters;

"**domestic services**" means postal service performed within the United Republic;

"**letter**" means any form of written communication in the nature of current and personal correspondence and includes postcards;

"**International service**" means a postal service performed in respect of a postal article posted within the United Republic to an addressee outside the United Republic or received from a place outside the United Republic for the delivery within the United Republic or for the transmission to a place outside the United Republic;

"**licensee**" means any person licensed under the provisions of the Act;

"**post**" means a system for the collection, dispatch conveying, holding and delivery of postal articles by or through a public postal licensee;

¹

[Cap. 302](#)

²

[Cap. 303](#)

"**postal article**" means any article or thing transmitted by post but does not include such article or thing as the Minister may prescribe to be not transmissible by post;

"**postal operator**" means private postal operator or public postal operator;

"**post office**" means any building, house, room, vehicle or place where, under control of the corporation postal articles are received, processed, delivered or dispatched;

"**postal services**" means any service by post;

"**public postal licence**" or "public postal operator" means the Tanzania Posts Corporation as designated by the Commission under section 15 of the Tanzania Posts Corporation Act³;

"**reserved area**" means collection and delivery by the public postal operator of addressed letter items up to 500 grammes with a universal tariff within the United Republic of Tanzania;

"**undelivered postal article**" means items which for some reasons have not been claimed by addressee;

"**United Republic**" means United Republic of Tanzania;

"**Universal Postal Union**" means specialised agent of the United Nations on postal services;

"**Universal services obligation**" means a basic postal service which includes the acceptance, conveyance and delivery of letters up to 500 grammes, parcels and packets of up to 10kg, and financial services delivered at equal tariffs and conditions accessible by all the population throughout United Republic.

3. Post office and courier operator premises

Each postal operator shall operate from permanent premises with the following basic amenities and facilities namely—

- (a) well-built public counters;
- (b) rooms or lobbies for the comfort and convenience of customers waiting to be served;
- (c) adequate ventilation;
- (d) adequate transport or arrangements for the conveyance of postal articles;
- (e) adequate and secure storage facilities for postal articles awaiting conveyance or delivery.

4. Restriction on carriage of letters

No person other than the public postal licensee shall carry letters in the reserved area.

5. Postage stamps

- (1) No person other than the Corporation, or any person authorised for this purpose by the Corporation shall produce postage stamps and philatelic items.
- (2) Postage stamps shall be available for sale to the public at all post offices at the prices equal to the value denoted thereon.

6. Letter boxes and delivery of postal article

- (1) No person other than the Corporation shall erect and maintain letter posting boxes or mail delivery boxes in any road, street or public place.
- (2) No letter posting box or mail delivery box shall be so placed as to interfere with ordinary traffic.

- (3) A postal article shall be deemed to have been posted when it has been put into a Corporation's letter posting box.
- (4) All philatelic archival materials produced by the public Postal operator belong to the government and shall be kept by the Commission.
- (5) A postal article shall be deemed to be delivered to the addressee when it is delivered by the Corporation at his house or office or into his private box at a post office or rural delivery box.
- (6) A postal article shall be deemed to be delivered to the addressee when it is delivered by private postal operator at his house or office.

7. Exemption from postal charges

- (1) Literature for the blind, letters addressed by prisoners of war and civil internees shall be exempted from all postage charges under the provisions of the Universal Postal Convention.
- (2) Postal article consisting solely of sound records, transmitted to or from institutions for the blind and recognized as such by the Commission or of publications, or the plates therefore, impressed in Braille or other type adapted for the use of the blind and marked on the wrapper thereof with the words "literature for the blind" may be transmitted at the appropriate postage rate, if any.

8. Transmission of newspaper

The proprietor of any publication printed and published in United Republic and consisting wholly or substantially of current news or articles relating thereto, with or without illustrations or advertisements may register his publication with the Corporation as a newspaper for the purpose of transmission by post if such publication is registered as a newspaper with the appropriate authorities and it complies with such other conditions as the Corporation may specify.

9. Examination of printed paper and packets

Every printed paper, packet and small packet shall be subject to examination in the post office and subject to these Regulations shall not contain anything sealed or otherwise closed against inspection, or contain or bear anything in the nature of current and personal correspondence, or contain any postage stamp or form (whether cancelled or not) denoting payment of postage or fees or any paper representing money value.

10. Procedure for parcel post

- (1) No parcel shall contain any letter or an enclosure of any kind bearing an address other than that to which the parcel is addressed, but an open invoice confined to the particulars necessary to describe the contents of the parcel and a paper bearing the address of the sender may be contained.
- (2) Where the laws for the time being in force in any country or place to which the parcel is directed permit the enclosure therein of correspondence, such enclosure shall be permitted but it shall be restricted to one written communication.
- (3) A person offering a parcel for transmission to a country outside the United Republic, as from time to time be notified by the postal operator may, upon payment of the specified charges be permitted to enter into an undertaking with the postal operator to prepay such customs and other charges as may be levied by the appropriate authority in the country of destination of such parcels.
- (4) All parcels originating from outside the United Republic shall be subject to customs check-up and procedures and each postal operator and couriers company shall make arrangements with customs department in checking the incoming parcels.

11. Insured post

- (1) Letters, packets or parcels, containing articles of value shall be accepted for transmission as insured post at the appropriate postage rate for such articles and on payment of the insurance fees specified by the postal operator.
- (2) The Corporation shall abide by all Universal Postal Union regulations on insured post.
- (3) No coin, bullion, jewellery, living animals of any kind shall be accepted for transmission by insured post.

12. Undelivered postal article

- (1) Postal articles shall be retained at the office of delivery for the appropriate period as specified by the postal operator for each class or category of article and if unclaimed for delivery on the expiration of such period shall be treated as undelivered postal article.
- (2) Notwithstanding subregulation (1) of this regulation, the following postal articles shall be classified as undelivered and disposed of as appropriate notwithstanding that the periods specified have not elapsed—
 - (a) articles which have been incorrectly or insufficiently addressed;
 - (b) articles which have been tendered for delivery and returned to the postal operator endorsed in a manner indicating that they cannot be delivered to, or have been refused by, the addressee;
 - (c) articles which bear a request from the sender for their return within a specific period in the event of non-delivery;
 - (d) articles containing any perishable matter where the condition of the postal article is such as to be likely to cause injury, damage or delay to any other postal article, or as to be likely to cause damage or embarrassment to any officer of the postal operator or to any person employed in connection with the postal and courier services.

13. Disposal of undeliverable

- (1) Subject to these Regulations and to the payment of the appropriate rates and charges specified by the relevant postal operator, undelivered inland postal articles shall be disposed of in the manner determined by the Commission.
- (2) Subject to these Regulations, undelivered or undeliverable postal articles received from outside the United Republic shall be disposed of as determined by the Commission in the manner prescribed by the Universal Postal Convention.

14. Quality of service

Postal operators shall comply with quality of service standards which the Commission will set and monitor from time to time.

15. Compensation

- (1) All postal operators shall communicate to the Commission their respective compensation policies in case of loss or damage of postal articles and compensation shall be paid by all postal operators.
- (2) No compensation shall be paid by the postal operators where—
 - (a) the article is a prohibited postal article under these Regulations;

- (b) in the case of an insured article—
 - (i) the article has been insured for in excess of its value;
 - (ii) any false statement in relation thereto has been made by the sender or addressee for such article;
 - (iii) the addressee thereof has signed and returned the receipt thereof without objection;
 - (iv) any bill of exchange, bond, coupon, or other negotiable security particulars sufficient to identify such contents are not supplied to the postal operator; or
 - (v) the cover or seal of such article bear apparent trace of theft or damage.

16. Prohibited article

- (1) Subject to the powers provided for under section 33s and [34](#) of the Act, the following article shall not be conveyed or delivered by post:
 - (a) any explosive, inflammable, dangerous, noxious or deleterious substance, filthy, sharp instrument not properly protected or any article or thing whatsoever which is likely to injure either other postal articles in the course of conveyance or any person handling the article;
 - (b) any indecent, or obscene printing, painting, photograph, lithograph, engraving, film, book card, or any other indecent or obscene article;
 - (c) any article for export, import or carriage which is prohibited under any law in force in the United Republic, or which, being subject to any restriction imposed by such law, is transmitted otherwise than in accordance with that restriction;
 - (d) any article which may not, under the law of the country to which it is addressed, be imported or transmitted by post;
 - (e) any article containing or bearing any functions stamp or any counterfeit impression of a franking machine;
 - (f) any article sent by post in a stamped or embossed envelope wrapper, card forms or paper in imitation of the one issued under the authority of the Corporation;
 - (g) any article of such form or colour or so made up for transmission by post or is likely in the opinion of the postal operator to embarrass the officers of the organisation in dealing with the article;
 - (h) any article bearing any stamp or impression of a stamping machine denoting payment of postage or fee which is imperfect or mutilated or defaced in any way or across which is written or printed or otherwise impressed;
 - (i) any article whereon the payment of any postage or fees purports to be denoted by any stamp or impression which has been previously used to denote payment of the postage or fees on any other postal article or any other stamp duty or tax;
 - (j) betting advertisements if relating to illegal business;
 - (k) fortune telling advertisements;
 - (l) sweepstake or lottery tickets, or advertisement or other notice in relation to sweepstake or lottery other than a lawful sweepstake or lottery;
 - (m) money lenders circulars if sent enclosed;
 - (n) any article which infringes trade mark or copy right laws;
 - (o) any sample packets consisting of literature for the blind containing any article liable to customs duty in the country or place of destination;

- (p) any letter, printed paper, literature for the blind, sample or small packet containing a card or envelope for reply that has been prepaid with postage stamps issued by the Corporation or an impression made by a franking machine licensed by the Corporation in the international service;
 - (q) any living creature, other than bees, leeches and silk worms, parasites or destroyers for noxious insects;
 - (r) any article which by the Act or by these Regulations is prohibited from being posted or accepted for transmission by post.
- (2) No postal article shall be conveyed or delivered within the United Republic where the postal article is posted outside the United Republic, by a person resident in, or a firm carrying on business in the United Republic with intent to avoid payment of highest domestic postage rate.

17. Criteria for transmission of prohibited article

Prohibited postal articles may be exceptionally conveyed by post as specified in the Schedule to these Regulations.

18. Certificate of posting

- (1) The Corporation shall at the request of the sender of an unregistered postal article intended for transmission by letter box give the sender a certificate of posting of such postal article upon payment of the appropriate fee.
- (2) A certificate of posting an article shall convey no entitlement to compensation nor shall it be acceptable as proof of the nature of the contents of the postal article to which it relates.
- (3) No article in respect of which a certificate of posting is issued shall be returned after the issue of such certificate to the sender thereof.

19. Resale of stamp

- (1) The Corporation may enter into arrangement with any person to sell postage stamps.
- (2) The Corporation shall establish rules and conditions for arrangements on resale of stamps and submit to the Commission for approval.

20. Exchange of unused stamp

The Commission may authorise exchange of unused adhesive postage stamps which have not ceased to be valid by reason of any directions made by the Commission under section 29 of the Act, and which have been inadvertently and undesignedly spoiled or rendered unfit for use within the past two years.

21. Delivery of postal article of a deceased addressee

- (1) Where a postal operator is satisfied that the addressee of a postal article is dead, he may in his discretion—
 - (a) deliver or redirect the postal article on the written application of any one of the executors named in the will of the addressee or any person appearing to the postal operator to be entitled to take out letters of administration to the addressee; or
 - (b) deliver or direct the postal article on the written application of any such person appearing to the postal operator to be conducting the affairs of the deceased; or
 - (c) retain the postal article for such period as he may think fit and on production of probate of the will or letter of administration to the estate of the addressee together with the written

application of one or more of the executors or administrators, deliver or redirect the article in accordance with such request; or

- (d) treat the postal articles in accordance with the provisions of these Regulations as undelivered postal article.

(2) The appropriate charges payable for redirection shall be as specified by the postal operator.

22. Postal operators to make rules

Every postal operator shall make rules on the services he offers, and in particular relating to—

- (a) letters;
- (b) parcels;
- (c) documents;
- (d) financial services;
- (e) registered items;
- (f) insured items;
- (g) post restate;
- (h) private boxes or bags; and
- (j) any other new services as may be introduced by the postal operators.

[Please note: numbering as in original.]

23. Use of technology

Every postal operator shall use appropriate technology to enhance quality of service as well as to diversify postal services.

24. Postal security and safety

Each postal operator shall ensure that all steps are taken to improve mail security and combat postal crimes which include:

- (a) mail violation and secretion;
- (b) mail bombs;
- (c) illicit drug trafficking or firearms; and
- (d) crime against postal property and identity.

25. Universal service obligation

The public postal operator shall be required to provide universal service either directly, through an agency, or business alliances and in return for this universal service obligation the Corporation shall have a reserved area covering all letters up to 500 grams.

Schedule (Regulation 17)

Description of article		Qualification for acceptance
(i)	Dangerous drugs.	By insured box or by insured parcel post but only if sent for medical or scientific purposes to country which admits them when sent for those purposes.
(ii)	Live bees, leeches, silk worms, parasites or destroyers of noxious insects used for the purpose of controlling those insects.	By letter post if addressed to officially recognised Institutions.
(iii)	Any postal article enclosed in an envelope with an open panel.	By the inland service
(iv)	Paper money not crossed for payment solely through post bank.	(i) For transmission by the inland service by registered letter or registered parcel post.
		(ii) For transmission by the international service by registered letter post or insured letter post or insured parcel post.
(v)	Jewellery and other valuables.	By registered letter post or insured parcel, or insured box.
(vi)	Any postal article bearing the word "registered" or any other phrase to that effect and any article which by these regulations is required to be registered or subject to the provisions of these Regulations and is of a monetary value.	By registered post.
(vii)	Deleterious liquids perishable biological substances, or other similar substances.	By letter post at the letter rate of postage only if sent for medical examination or analysis to a recognized medical practitioner or qualified veterinary surgeon.

(viii)	Inflammable liquids.	Having a flash point of 32 degrees centigrade or above but lower than 65 degrees centigrade; maximum amount one litre.
(ix)	Radioactive materials.	Small quantities suitably packed, provided that when made up for the radiation measured at the outside surface of a package does not exceed 10 milliroentgen per 24 hours by letter post at the letter rate of postage.
(x)	Any article liable to custom duty.	To countries which permit by law or regulations the importation of such articles by post, and by registered post if the law or regulations of the country or place of destination so requires.
(xi)	Advertisements and publications relating to the treatment of general diseases or to any preparation for its prevention, care or relief.	If addressed to duly qualified medical practitioners or chemist.