

GOVERNMENT NOTICE NO. 402 Published on 10-8-2018

THE RAILWAYS (TRAINING, COMPETENCE AND MEDICAL FITNESS OF SAFETY  
CRITICAL WORKERS) REGULATIONS, 2018

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*Regulation*                      *Title*

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GOVERNMENT NOTICE NO. 402 Published on 10-8-2018

**THE RAILWAYS ACT  
(ACT NO. 10, 2017)**

**REGULATIONS**

*(Made under section 95)*

**THE RAILWAYS (TRAINING, COMPETENCE AND MEDICAL FITNESS OF SAFETY  
CRITICAL WORKERS) REGULATIONS, 2018**

**PART I  
PRELIMINARY PROVISIONS**

Citation	<b>1.</b> These Regulations may be cited as the Railways (Training, Competence and Medical Fitness of Safety Critical Workers) Regulations, 2018.
Interpretation	<b>2.</b> In these Regulations, unless the context requires otherwise-
Act No. 10 of 2017	“Act” means the Railways Act; “certificate of competence” means certificate issued by the Corporation under regulation 6; “controller of safety critical work” means any person controlling the carrying out of safety critical work on a rail transport network or in relation to a vehicle used on a rail transport network; “Corporation” means the Tanzania Railways Corporation established under section 4 of the Act; “medical practitioner” means a medical practitioner registered with the Medical Council of Tanganyika, whom the Corporation has employed or contracted to examine safety critical workers; “medical standards” means the guidelines for medical examination of Safety critical workers, set out in the Second Schedule of these Regulations; “safety critical work” means- (a) in relation to a vehicle used on a railway transport network-

- (i) driving, dispatching coupling and uncoupling;
  - (ii) signaling, operations, the operation of level crossing equipment, receiving and relaying of communications
  - (iii) installation of components;
  - (iv) maintenance;
  - (v) checking that a vehicle is working properly and, where carrying goods, is correctly loaded before being used; or
  - (vi) any other activity which is capable of controlling or affecting the movement of that vehicle.
- (b) in relation to a railway transport network-
- (i) installation or maintenance of any part of it or of the telecommunications system relating to it or used in connection with it, or of the means of supply of electricity directly to that transport system or to any vehicles using it or to the telecommunications system;
  - (ii) controlling the supply of electricity directly to it or to any vehicles used on it;
  - (iii) receiving and relaying of communications.
- “vehicle” means any wagon, coach, trolley, van or any other conveyance used for transport by the Corporation.

PART II  
TRAINING AND COMPETENCE OF SAFETY CRITICAL WORKERS

Duty of  
Corporation

- 3.** An employee of the Corporation shall not undertake safety critical work unless-
- (a) he has been assessed and found competent and fit to undertake that work;
  - (b) there is in existence an adequate record of relevant assessments undergone by the employee;
  - (c) there are in place arrangements for monitoring the competence and fitness of the employee; and
  - (d) he has been issued with a certificate of competence.

Training and  
standard of  
competence of  
safety critical  
workers

- 4.-(1)** The Corporation shall ensure that safety critical workers are adequately trained to undertake safety critical work.
- (2) The standard of competence to be achieved by employees undertaking safety critical work shall conform with the First Schedule to these Regulations.

Issuance of  
certificate of  
competence

**5.-(1)** The Corporation may issue a certificate of competence to an applicant if it has satisfied itself that the applicant has-

- (a) supplied current and accurate information relating to his competency to perform railway safety work; and
- (b) undergone assessment in accordance with these Regulations;
- (c) undertaken in writing to comply with any term or condition required by the issuer in respect of the certificate of competence; and
- (d) fully complied with the medical fitness standards set out in Part III of these Regulations.

(2) A certificate of competence shall be issued for any period but not exceeding five years.

Power to suspend  
or cancel  
certificate of  
competence

**6.-(1)** Where the Corporation has formed an opinion that a person to whom he has issued the certificate of competence no longer possesses the competence required, he may suspend or cancel the certificate of competence.

(2) Where the Corporation intends to withdraw or cancel the certificate of competence it shall serve the holder with a notice in writing specifying the nature of default and time within which such default shall be rectified.

(3) Where the holder fails to remedy or rectify the default within the time specified in the notice or fails to make a satisfactory representation, the Corporation shall suspend or cancel the certificate of competence.

(4) Where the Corporation suspends or cancels the certificate of competence it shall provide the holder with reasons for such suspension or cancellation.

(5) The Holder shall, immediately upon cancellation or suspension of certificate of competence under these Regulations, surrender the certificate of competence to the Corporation.

PART III  
MEDICAL FITNESS OF SAFETY CRITICAL WORKERS

Medical  
examination

**7.-(1)** A person who intends to work as a safety critical worker shall-

- (a) undergo a pre-placement medical examination;
- (b) undergo a periodical medical examination twice a year; and

(c) comply with the medical standards set out in Second Schedule to these Regulations.

(2) A person shall be medically fit if he has been clinically examined by a medical practitioner and issued with a valid Medical Fitness Certificate and his medical condition has not changed since the previous medical examination to an extent that would make him unfit to perform his duties.

Application for medical fitness certificate

**8.**-(1) An application for a medical fitness certificate shall be made to a medical practitioner by safety critical worker.

(2) The fees for performing medical examination for purposes of issuing a medical fitness certificate shall be paid by the Corporation.

(3) Where medical practitioner is satisfied that the safety critical worker has met the medical standards, he shall issue a medical fitness certificate and such certificate may be restricted to specified jobs or geographical area.

Assessment and standards of medical fitness

**9.**-(1) The medical fitness of a person shall be assessed on an individual basis, taking into consideration both current and past medical conditions that could result in-

- (a) sudden impairment;
- (b) impairment of cognitive function including alertness, judgment, insight, memory and concentration;
- (c) impairment of senses;
- (d) significant impairment of musculoskeletal function;
- or
- (e) other impairment that is likely to constitute a threat to safe railway operations.

(2) Without prejudice to sub-regulation (1), medical fitness shall be determined by reference to the medical standards set out in the Second Schedule to these Regulations.

Medical fitness certificate to foreigners

**10.** An employee of railway organization of foreign country on duty in Tanzania shall, subject to any working arrangement or agreement with the Corporation, obtain a medical fitness certificate.

Obligation to use aid to vision or hearing

**11.**-(1) A Safety critical worker whose medical fitness certificate indicates that an aid to vision or hearing was used for the purpose of being found fit shall, at all times when on duty use such aid.

(2) Subject to sub-regulation (1), where a safety critical

worker uses an aid to vision he shall keep a spare aid available all times.

Medical records

**12.** The medical practitioner shall keep and maintain all medical examination reports in a confidential file for a period of at least thirty years and such information shall not be released to any person except as required by a written law.

Refusal of findings

**13.** A person who is not satisfied with the findings of a medical practitioner may undergo another medical examination.

Renew of certificate

**14.** A safety critical worker who is the holder of a valid medical fitness certificate may be required by the Corporation to obtain a new certificate if it is believed that due to illness, injury or other causes he no longer meets the standards specified in these Regulations.

PART IV  
FATIGUE, DRUGS AND ALCOHOL

Avoidance of fatigue

**15.** A controller of safety critical work shall ensure that a safety critical worker under his management, supervision or control does not carry out safety critical work in circumstances where he is so fatigued that his health or safety or the health or safety of other persons on a railway transport system could be affected.

Working hours  
Cap. 366

**16.** The Corporation shall ensure that the standards and limits of working hours set take into account provisions of the Employment and Labour Relations Act.

Prohibition of drugs and alcohol

**17.-(1)** A safety critical worker shall not carry out safety critical work while under the influence of drugs or alcohol.  
**(2)** The Corporation shall ensure that a safety critical worker does not carry out safety critical work while under influence of drugs or alcohol.

Tests against drugs and alcohol

**18.** Where an authorized employee of the Corporation, a railway inspector or police officer is of the opinion that the safety critical worker who has made himself available to perform a safety critical work is under the influence of drugs or alcohol, may:

- (a) administer a breath test to the safety critical worker;

and

- (b) require the safety critical worker to provide a sample of his blood or urine to a medical practitioner.

PARTY V  
OFFENCES AND PENALTIES

Offences and penalties

**19.** A person who-

- (a) while on duty is found to be under the influence of drugs or alcohol as ascertained from a breath test or blood or urine sample taken;
- (b) fails without reasonable cause to comply with a requirement to undergo a breath test or to provide a sample of blood or urine;
- (c) allows or causes a person to perform safety critical work without having the competence or medical fitness prescribed in these Regulations;
- (d) carries out safety critical work without possessing the competence or medical fitness prescribed in these Regulations; or
- (e) furnishes any return, report, written information or explanation containing any particulars which to his knowledge are false or incorrect,

commits an offence and on conviction, shall be liable to a fine of not less than two million shillings but not exceeding five million shillings or to imprisonment for a term not less than twelve months but not exceeding eighteen months or to both such fine and imprisonment.

Compound of offences

**20.-(1)** Notwithstanding the provisions of these Regulations relating to penalties, where a person admits in writing that he has committed an offence under these Regulations, the Director General or any other person authorised by him in writing may, at any time prior to the commencement of the proceedings by a court of competent jurisdiction compound such offence and order such person to pay sums of money, not exceeding one half of the amount of the fine to which such person would otherwise have been liable to pay if he had been convicted of such offence.

(2) Where an offence is compounded in accordance with sub regulation (1) and proceedings are brought against the offender for the same offence, it shall be a good defence for the offender to prove to the satisfaction of the court that the offence



with which the offender is charged has been compounded under sub regulation (1).

(3) Where the person fails to comply with the compounding order issued under this regulation within the prescribed period, the Corporation may-

- (a) in addition to the sum ordered, require the person to pay an interest at the rate prescribed in the regulations; and
- (b) enforce the compounding order in the same manner as a decree of a court for the payment of the amount stated in the order.

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SCHEDULE

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FIRST SCHEDULE

(Made under regulation 4(2))

TRAINING AND COMPETENCE STANDARDS FOR SAFETY CRITICAL WORKERS

Safety Critical Worker Position	Function	Basic Education	Training	Surveillance	Relevant Medical Fitness as per Second Schedule
SCW POSITION					
1. Locomotive Driver	Performing shunting within the station yards and sidings.	A-level Secondary Education with at least one principal pass and two subsidiaries in science subjects, or Technical Education N.T.A. level 4.	Required training: (24 months) Theoretical and Practical training on working and maintenance of shunting locomotives, Rules and	There shall be an annual performance appraisal by a locomotive inspector. Six months working under close supervision before being qualified to work independently	A
	Driving mainline trains i.e. Passenger trains, Freight trains and Special trains	A-level Secondary Education with at least one principal pass and two subsidiaries in science subjects, or Technical Education N.T.A. level 5.	Theoretical and practical training on working and maintenance of mainline locomotives. Rules and regulations of trains working, practical training as mainline locomotive driver under a certified instructor. He/she must have successfully completed 24 months working as a shunting	There shall be an annual appraisal report by a locomotive inspector. Every driver shall undergo refresher training of at least two (2) weeks duration once a year.	A

			locomotive driver.		
2. Train Guard	To conduct train movement and ensure the safety of a train over a section or line; To prepare train and accident reports; To perform route shunting and ensure the safety of the traffic being conveyed.	Secondary Education with minimum four passes, (minimum D) one of them should be Mathematics and English.	Required training: (12 months) theoretical working. Trains working rules and regulations, Commercial activities, Basic computer application, Communication skills Practical training: Trains working, Commercial activities	There shall be an annual appraisal report by a traffic inspector.	A
3. Track Maintenance Equipment Operator	Operation of the track maintenance equipment .	Secondary education with National Vocational Training Certificate in auto-mechanic or auto-electrician N.T.V.A. level 3.	Required training (12 months). Theoretical and practical training in the working of the track maintenance equipment, Rules and regulations of trains working. Required Training: Theoretical and practical training in driving motor trolleys. Rules and regulation of trains working.	There will an annual appraisal by the District Civil Engineer. After successful completion of the training the trainee shall work under supervision of an experienced track maintenance equipment operator for six months.	A
4. Level Crossing	To protect workmen	Secondary education	Required Training (6	There will be an annual	A

watchman/ Flagman	at working sites, to protect level crossing	with at least 3 passes	months): Theoretical and practical training on Rules and Regulations for protection trains and track workers.	appraisal by the Traffic Inspector After successful completion of the training the trainee shall work under supervision of an experienced level crossing watchman/flagman for six months	
5. Yard Foreman/Master	In charge of a designated section of a marshalling yard and responsible for the breaking up and marshalling of trains	Secondary Education with minimum four passes, (minimum D) one of them should be Mathematics and English.	Training required: (12 months) Theoretical Training: Trains working rules and regulations, Commercial activities, Basic computer application, Communication skills. Practical Training: Trains working, Commercial activities.	There shall be an annual appraisal report by the traffic inspector for all the yard foremen. After successful completion of training he/she shall work under close supervision of an experienced staff for at least 6 months before being allowed to work independently.	B
6. Station Foreman	To signal, receive and dispatch trains, to assist the station master in ensuring that trains operation at the stations are done	Advanced secondary education with at least one Principal and two subsidiaries	Required training (24 months) Theoretical Training: Trains working, rules and regulations, Station working rules, Commercial activities. Practical Training: Trains working, station	There shall be an annual appraisal report by the traffic inspector for all the station foremen. After successful completion of training he/she shall work under close supervision of an experienced	B

	expeditiously according to the rules and regulations, to perform commercial activities at the station.		working. Commercial activities	staff for at least 6 months before being allowed to work independently	
7. Station Master	In charge of a railway station and responsible for safe and expeditious movement of trains and traffic working, passenger and freight sales and service, revenue collection and accounting, security of station installation and equipments and general administration of the station.	Railway Transportation technician certificate (N.T.V. A. Level 5)	Required training (12 months) Theoretical Training: Train and traffic control procedures. Train operation management and safety. Station administration. Communication skills. Practical training: Trains and traffic control procedures. Commercial activities. Station administration.	There shall be an annual appraisal report by the traffic inspector for all the station masters. After successful completion of training he/she shall work under close supervision of an experienced staff for at least 6 months before being allowed to work independently	B
8. Pointsman	Setting points Coupling and uncoupling	Secondary education	Required training (6 months) Theoretical Training: Rules	There shall be an annual appraisal report by the district traffic	B

	g of vehicles to signal movements of shunting operations		and regulations on trains working relevant to his/her job functions. Practical Training; Signaling of trains and vehicle movements. Operation of points, Coupling and uncoupling of vehicles	inspector.	
9. Carriage and wagon Examiner	In charge of train examination for departing and incoming trains. Services, repairs and maintains wagons and coaches, certifies wagons and coaches for working of trains.	Technician Certificate in wagon technology N.T.V.A level 3 or Secondary education	Required training (12 months) Theoretical Training: Management of wagon maintenance. Practical Training: repair and testing of major wagon components	There shall be an annual appraisal report by the district mechanical engineer. After successful completion of training he/she shall work under close supervision of an experienced staff for at least 6 months before being allowed to work independently.	<b>B</b>
10. Carriage and wagons Examiner In charge	In charge of train examination for departing and incoming trains. Services, repairs and maintains wagons	Technician Certificate in wagon technology N.T.A level 4 or Advanced Secondary education with one principle and two subsidiaries	Required training (24 months) Theoretical Training: Management of wagon maintenance. Practical Training: repair and testing of major wagon components	There shall be an annual appraisal report by the district mechanical engineer. After successful completion of training he/she shall work under close supervision of an experienced	<b>B</b>

	and coaches, certifies			staff for at least 6 months before being allowed to work as carriage and wagons Examiner In Charge.	
11. Locomotive Fitter In-charge	In charge of turn-round service of locomotives, Services, repairs and maintains locomotives, certifies locomotives for safe working of trains	Advanced education with one principle pass and two subsidiaries	Required training (24 months) Theoretical training: Management of locomotive maintenance. Practical Training: Repair and testing of major components.	There shall be an annual appraisal report by the district mechanical engineer for all locomotive fitters-in-charge. After successful completion of the training the trainee shall work under supervision of an experienced locomotive fitter in charge for six months.	B
12. Sub-Permanent way Inspector	To carry out acceptance inspection of the repair works undertaken by the permanent way gangs under his jurisdiction. He takes charge of all the repair work which are critical to	A level secondary education with at least one principal pass and two subsidiaries	Required training (24 months) Theoretical & Practical Training: Construction and maintenance of the permanent way.	There shall be an annual appraisal by the District Civil Engineer. After successful completion of the training the trainee shall work under supervision of an experienced Permanent way Inspector for six months.	B

	safety of trains. Imposing speed restrictions on sections where track conditions are not to the required standards.				
13. Signal and Telecommunication Artisan	Maintenance of Signals and telecommunication systems and equipment	Secondary Education with minimum four passes, (minimum D) one of them should be Mathematics and English.	Required training (12 months) Theoretical and Practical Training on Management of maintenance of signal and telecommunications	There shall be annual appraisal by District Signal and Telecommunication Engineer. After successful completion of the training the trainee shall work under supervision of Signal and Telecommunications Foreman for six months	B
14. Signal and Telecommunication Foreman.	Maintenance of signals and Telecommunication system and equipment .	Signal and Telecommunication Engineering N.T.V.A. certificate Level 4, or Advanced Certificate of Secondary education with at one principle pass and two subsidiaries	Required training (24 months) Theoretical and Practical Training on Management of maintenance of signal and telecommunication system and equipment and testing the same.	There shall be annual appraisal by District Signal and Telecommunication Engineer. After successful completion of the training the trainee shall work under supervision of an experienced S & T Technician for six months.	B



*Railways (Training, Competence and Medical Fitness of Safety Critical Workers)*  
*GGN. No. 402 (Contd.)*

15. Ganger/Gang Foreman	To execute preventive maintenance and repairs of the permanent way	0- level secondary education with at least 3 passes or relevant vocational training at N.T.V.A. level 3.	Required Training (12 months): Theoretical and practical training in permanent way components and structures.	There shall be an annual appraisal by the subpermanent way inspector. After successful completion of the training the trainee shall work under supervision of an experienced track maintenance equipment operator for six months	B
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16. Keyman/ Patrolman	To patrol the permanent way so as to ensure safe passage of trains	0-level Secondary education with at least 3 passes or relevant vocational Training at N.T.V.A level 3	Required Training (12 months): Theoretical and practical training in permanent way components and structures.	There will be an annual appraisal by the subpermanent way inspector.	B
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SECOND SCHEDULE  
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*(Made under regulation 9(2))*  
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SAFETY CRITICAL WORKERS MEDICAL FITNESS REQUIREMENTS

CATEGORY A

- 1.1 Visual Acuity
- (a) Distance vision shall be at least 6/9 in the better eye and 6/12 in the other eye, with spectacles or contact lenses if worn.
  - (b) Uncorrected visual acuity shall be at least 3/60 in each eye.
  - (c) Near vision shall be at least N8, with spectacles or contact lenses if worn.
  - (d) No pathological condition of the eyes likely to cause visual impairment shall be present.
  - (e) Bifocal spectacles are permitted.
  - (f) Tinted and photo chromic prescription lenses are prohibited (the only sunglasses permitted are as specified in 2.6).
- 1.2 Drivers who wear corrective spectacles to meet any of the above requirement shall wear them at all relevant times when on duty.
- 1.3 Contact lenses are permitted provided that:
- (a) the wearer has demonstrated that the lenses can be tolerated in place for the duration of a complete turn of duty of the maximum roistered length;
  - (b) the nature of the work and the working environment is suitable for the wearing of contact lenses; and
  - (c) a pair of spectacles of equivalent prescription is carried.
- 1.4 If contact lenses are worn, assessments of visual acuity shall be made without lenses in place, with them in place and with spectacles of an equivalent prescription.
- 1.5 To prevent adverse effects on signal colour discrimination and on general vision in areas of strong contrast between light and shade, only sunglasses which conform to BS EN 1836, shade 2.5, are permitted.
- 1.6 Colour vision shall be normal, as assessed by the Ishihara Plates Test.
- 1.7 Hearing: An audiometric assessment shall be carried out.

- 1.8 Hearing loss in either ear should not exceed 30dB, averaged over frequencies of 0.5, 1 and 2 kHz.
- 1.9 Hearing will also be tested at 4, 6 and 8 kHz as an indicator for noise induced deafness.
- 1.10 Providing this requirement is met without use of a hearing aid, hearing aids may be used to improve hearing further.
- 1.11 No pathological condition likely to cause unpredictable fluctuation in hearing levels should be present.
- 1.12 **General Health**  
Candidates shall not be suffering from medical conditions, or be taking medical treatment likely to cause:
- (a) sudden loss of consciousness;
  - (b) impairment of awareness or concentration;
  - (c) sudden incapacity;
  - (d) visual impairment of a temporary or transient nature;
  - (e) impairment of balance or co-ordination;
  - (f) significant limitation of mobility .
- 1.13 Body Mass Index should not normally exceed 29, but discretion may be exercised by the Company Doctor where no associated medical abnormality exists and mobility is not compromised.
- 1.14 An electrocardiograph (ECG) examination shall be carried out at the first medical assessment, then at the first assessment after reaching the age of 40 and at each periodic re-assessment thereafter.
- 1.15 Blood pressure should be in between 100/70 – 140/90 mmHg
- 1.16 Blood sugar should be in a range of 3.5 – 6.1mmol
2. **ASSESSMENT AFTER ILLNESS**
- 2.1 A medical assessment shall also be carried out in the event of;
- (a) any absence certified as being due to a psychiatric disturbance;
  - (b) any episode of convulsion, loss of consciousness, disturbance of consciousness or dizziness;
  - (c) any episode of visual disturbance;
  - (d) prescription of long term medication;

CATEGORY B

1.0 MEDICAL FITNESS REQUIREMENTS

1.1 Visual Acuity

- (a) Distance vision shall be at least 6/9 in the better eye and 6/12 in the other eye, with spectacles or contact lenses if worn.
- (b) No pathological condition of the eyes likely to cause visual impairment shall be present
- (c) The use of tinted or photo chromic prescription lenses is permitted, unless the wearer is dependent on them to correct a pathological condition of the eyes.

1.2 Contact lenses are permitted provided that:

- (a) the wearer has demonstrated that the lenses can be tolerated in place for the duration of a complete turn of duty of the maximum roistered length;
- (b) the nature of the work and the working environment is suitable for the wearing of contact lenses; and
- (c) a pair of spectacles of equivalent prescription is carried.

1.3 Colour Vision

Colour vision will be assessed using the Ishihara Plates test. Colour vision must be normal.

1.4 Hearing

Full audiometric assessment must be carried out. A hearing aid must not be used for the test.

1.5 Hearing loss must not exceed 30dB averaged over frequencies of 0.5, 1 and 2 kHz in either ear

1.6 Hearing will also be tested at 4,6 and 8 kHz as an indicator for noise induced deafness.

1.7 This standard should normally be met at periodic examinations, but some discretion may be exercised by the medical examiner in the case of borderline failure.

- (a) any incident or accident where there is reason to believe that the physical or mental health of the driver might have been a casual factor or adversely affected by it;
- (b) any other circumstances or medical condition which might impair the driver's ability to carry out normal driving duties, whether or not the driver has been absent from duty.

2.2 Consideration shall be given to the need for a medical assessment and for counseling in the event of significant traumatic stress affecting a driver.

General Health

Signalers and crossing keepers must not be suffering from medical conditions, or taking medical treatment likely to cause:

- (a) sudden loss of consciousness;
- (b) impairment of awareness of concentration;

- (c) sudden incapacity
- (d) visual impairment of a temporary or transient nature;
- (e) impairment of balance or co-ordination, or
- (f) significant limitation of mobility.

Body Mass Index should not normally exceed 33, but discretion may be exercised by the Company Doctor where no associated medical abnormality exists and mobility is not compromised.

#### ASSESSMENT AFTER ILLNESS

If the railway operator considers that an increased risk to safety exists following sickness, accident or incapacity, the railway operator will refer that person to the railway company doctor for examination prior to permitting resumption of work.

Note: The railway operator reserves the right at any time to ask an employee to attend a medical examination which normally will be carried out by the Company Doctor.

Dodoma,  
30 July, 2018

ISACK A. KAMWELWE  
*Minister for Works, Transport and Communication*