

GOVERNMENT NOTICE No. 56 published on 23/2/2018

AGRICULTURAL MECHANIZATION AND RURAL TECHNOLOGY

REGULATIONS, 2018

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GOVERNMENT NOTICE No. 56 published on 23/02/2018

THE CENTRE FOR AGRICULTURAL MECHANIZATION AND RURAL
TECHNOLOGY ACT,
(CAP. 181)

REGULATIONS

(Made under Section 21)

THE CENTRE FOR AGRICULTURAL MECHANIZATION AND RURAL
TECHNOLOGY (AGRICULTURAL MACHINERY AND RURAL TECHNOLOGY)
REGULATIONS, 2018

PART I
PRELIMINARY PROVISIONS

- Citation 1. These Regulations may be cited as the Centre for
Agricultural Mechanization and Rural Technology (Agricultural
Machinery and Rural Technology) Regulations, 2018.
- Application 2. These Regulations shall apply to all rural
technologies, agricultural machineries, implements and
equipment either manufactured or imported in the Country.
- Interpretation
Cap.181 3. In these Regulations unless the context otherwise
requires:-
- “Act” means the Centre for Agricultural Mechanization and
Rural Technology Act;
- “agricultural production” means any production within the
entire value chain of obtaining agricultural produce
which include crop production, animal production,
aquaculture, apiculture or any other related means;
- “applicant” means any person, manufacturer or accredited
importer who applies for testing agricultural machinery
or rural technologies to the Centre;
- “Board” means the Board of Directors of the Centre, established
under section 6 of the Act;

- “client” means any applicant whose application for testing of agricultural machinery or rural technologies has been received and accepted by the Centre;
- “centre” means the Centre for Agricultural Mechanization and Rural Technology established by section 3 of the Act;
- “certification mark” means a mark approved and registered by the Centre as a mark denoting certified performance in Tanzania;
- “committee” means the Certification Committee established under regulation 25;
- “Director General” means the chief executive officer of the Centre appointed by the President under section 16 (1) of the Act;
- “agricultural machinery and rural technologies” means any agricultural machinery and rural technologies prescribed in the First Schedule;
- “Minister” means the Minister responsible for industries;
- “supplier” means a person who manufactures, sells or distributes agricultural machinery or rural technologies, whether manufactured locally or imported;
- “testing” means the taking of measures and checking the quality, performance or reliability of machine intended for use in agricultural and rural development, before putting it into widespread use or practice;
- “test codes” means a book or any other document describing procedures to be followed in testing of agricultural machinery or rural technologies;
- “test report” means a report presenting results and recommendations obtained during testing of agricultural machinery or rural technologies in a prescribed format;

PART II

COMPULSORY TESTING

- Test
- 4.-(1) The Centre shall test all models of agricultural machinery and rural technologies manufactured in the Country or outside the Country which are intended for use in agricultural or rural development.
- (2) The Centre shall maintain a register of machinery and rural technologies tested.
- (3) List of machinery and rural technologies to be tested at the Centre are as specified in the First Schedule to these Regulations.
- Application
- 5.-(1) An application for testing shall be made to the Centre by filling an application form prescribed in the Second schedule to these regulations and accompanied by:-
- (a) full technical specifications of the test sample;
- (b) test fee payable to the Centre.
- (2) The applicant shall supply spare parts necessary for general maintenance or minor repairs to the Centre.
- (3) Unused spares shall be returned to the applicant upon completion of the test.
- (4) Where damage or break down of any component occurs during the course of testing, the applicant, with a permission from the Centre, shall replace the component with a new one having the same specifications.
- (5) The application guidelines for testing shall be as prescribed in the Third schedule.
- Manufacturer procedure
- 6.-(1) The Centre shall, unless otherwise specified by the applicant prior to the commencement of the test, operate the machinery or rural technologies according to the procedure laid down in the manufacture's prescriptions.
- (2) The applicant shall have the responsibility to ensure that the machinery or rural technology is in good working condition.

- Testing priority 7. The criteria for determining the priority of the applications for testing shall be the date of submission and where two or more applications are received on the same day, the basis for determining priority of such applications shall be their receipt numbers.
- Representation 8. The client or his representative may, at his own cost, be permitted by the Centre to witness the testing process and be allowed to collect necessary factual information about the testing process provided that, the Centre shall not be associated with any information so collected or later published.
- Liability 9. The Centre shall not be liable for any damage or variation in the performance of machinery or rural technologies due to manufacturer defects or false information provided by the applicant.
- Testing procedure 10.-(1) The testing procedures shall commence after completion of all formalities by the client and shall be made in accordance with the guidelines issued by the Centre.

PART III
REGISTRATION AND INSPECTIONS OF SUPPLIERS

- Suppliers registration 11.-(1) A person shall not supply agricultural or rural technology unless he is registered by Business Registration and Licencing Agency (BRELA).
- (2) A supplier shall ensure that the spare parts and after sales services are available.
- (3) The Centre may visit and inspect the manufacturers, dealers or agents to ensure that, their products conform to the requirements of the Act and these Regulations.
- (4) A person who sells or displays for selling any machinery or rural technologies for agricultural production or development and if that model has not been tested and certified by the Centre, commits an offence.
- Inspections 12. The Centre may, for the purpose of quality control and certification, perform inspection:

- (a) at the entry points including ports, airports and country borders before being allowed to enter the country; and
- (b) at the local manufacturing and sales points.

PART IV
TESTING GUIDELINES AND CODES

Pre-testing inspection and sampling

13.-(1) The Centre shall, upon receipt of specifications from the client, arrange for a pre-testing assessment and collect sample for testing against the requirements of the specifications.

(2) Test samples shall be new and selected at random by the Centre or accredited representative from the series production.

(3) Alteration or modification that would alter the sample's practical performance shall not be allowed after sampling.

(4) The Centre may deny the test sample if there is reasonable doubt that there were some alterations in the sample before it was brought to the Centre.

Second hand machinery

14. The second hand machinery or rural technologies shall not be allowed to enter in the country unless prior testing for the model was conducted by the Centre and certification to that effect was issued.

Testing location

15. The client shall send the sample to the Centre or other testing location as specified by the Centre.

Test codes

16.-(1) The Centre shall, in consultation with Tanzania Bureau of Standards and any other relevant stake holders, develop test codes for all agricultural machines and rural technologies to be used into country.

(2) Where the Centre is not convinced that any part of machinery or rural technology is of appropriate quality it may, upon consultation with the client, send that part of machinery or rural technology to the Tanzania Bureau of Standards at the client's costs for checking standards conformity.

(3) In the absence of Tanzania or international test codes the Centre shall develop test code for such machinery or rural technology.

PART V
TESTING CHARGES AND PROTECTION OF INVENTIONS

Testing charges 17. Where testing charges have not been established, all charges on account of test fee, including stores, fuel, oils, lubricants, spare parts, workshop and labour over-heads shall be borne by the client.

Destructive tests 18.-(1) Where parts of machinery or rural technologies are required by the Centre for destructive tests, the client shall submit the said parts at his our costs.

(2) The parts or assemblies of machines worn out or damaged during test shall be replaced or repaired by the client at his own cost within the time specified by the Centre or otherwise the client shall bear extra cost caused by his delay.

Collection of machines 19. Upon completion of the test and issuance of test report to the client, the Centre shall notify the client in writing to collect the machinery or rural technology within prescribed time not exceeding thirty days.

PART VI
TESTING REPORT

Test report 20.-(1) The test reports and certificates issued by the Centre shall be applicable to the particular model.

(2) A person who uses the Centre's certificate or test report for any model other than the prescribed model in the certificate, commits an offence.

(3) The report issued by the Centre shall contain information and parameters obtained on a particular sample of a model during testing.

(4) The report shall not communicate or signify approval or recommendation of the Government or the Centre for any government programme or otherwise.

(5) The Centre shall not issue short-term test report.

(6) The report may be used commercially by the client and may be published in full without any alteration or omission.

(7) An extract or abbreviated version of the report shall not be published without written approval of the Centre.

(8) The Centre shall have the right to publish or communicate to any person the results either wholly or in part together with comments and additional information as may be desirable.

Requirements prior to advertisement or publication

21. A pamphlet or advertisement of the tested machinery or rural technologies shall not be released to the public unless the performance values as observed by the Centre in the test report are exposed.

PART VII CERTIFICATION

Procedure for certification

22.-(1) The Centre shall send the test reports to the Committee with recommendations on performance of the machines or rural technologies.

(2) Where the Committee, upon receipt of recommendations from the Centre, is satisfied that, the client has complied with the conditions as recommended by the Centre shall grant the client with the Certificates in the form specified in the Fourth Schedule to these Regulations.

(3) The Certificate issued shall give the client permission to use Centre's Mark bearing the words "certified performance" to all products of the tested model.

(4) Where the certificate is not approved by the Centre, the Centre shall communicate in writing to the client stating the reasons for not granting the approval, and where the client intends to make any representation to the Director General, he may do so in writing within thirty days of being informed of the decision.

(5) Where an applicant whose application has been refused intends to make representations, the Director General

shall, within ninety days, arrange for a meeting whereby he shall give the applicant an opportunity to make his presentation.

(6) The Director General shall give a fourteen days notice of the time, date and place of a hearing to be made.

(7) Upon hearing of the representation, the Director General shall decide the matter and inform the applicant as soon as practicable.

(8) The Certificate issued by the Centre shall allow the particular model of machinery and rural technology to bear Centre's mark of certified performance in Tanzanian conditions.

Inspection and withdrawal

23.-(1) The Centre shall conduct surveillance inspections to check the performance and quality of certified machinery or rural technologies models to ensure that they conform to the quality and standards of tested sample.

(2) Where machinery or rural technologies models do not conform to the quality and standards of tested sample, the Centre shall withdraw the certificate and bar the model from being manufactured, used or supplied in the country.

PART VIII CERTIFICATION COMMITTEE

Establishment and Composition

24.-(1) There is established a Committee to be known as the Certification Committee which Shall comprise of five members appointed by the Director General.

(2) The director responsible for machinery and rural technologies testing in the Centre shall be the Chairman of the Committee.

(3) Tenure of office of members of the Committee shall be the renewable term of three years.

Secretary

25.-(1) The Director General shall appoint a Secretary of the Committee from the staff of the Centre.

(2) The secretary shall attend every meeting of the Committee but shall not have a right to vote.

(3) The secretary shall perform all functions as a secretary including preparation of the agenda of the committee and ensure that the records are kept properly.

Functions	<p>26. The main functions of the Committee shall be:-</p> <ul style="list-style-type: none">(a) to deliberate and approve test reports for certification;(b) to advise in developing policies relating to testing and certification; and(c) to perform any other functions that will be necessary for better giving effect to the purpose and provision of these Regulations.
Meetings	<p>27.-(1) The Committee shall have two regular meetings per year called by the Chairman after consultation with the Secretary.</p> <p>(2) The Committee may co opt any person to participate in the deliberation at any meeting, but that person shall not have a right to vote.</p>
Quorum	<p>28. The quorum at any meeting of the Committee shall be at least three members in office.</p>

PART IX
GENERAL PROVISIONS

Fees	<p>29. The fees payable shall be as prescribed in the Fifth Schedule to these Regulations.</p>
Information	<p>30. A person who supply or manufacture agricultural or rural technologies shall declare the number of technologies produced, names of customers and their contact details and specific locations where the technologies have been supplied at least once a year.</p>
Penalties	<p>31. A person who contravenes the provisions of these regulations where no specific penalty is stipulated, commits an offence and on conviction is liable to a penalty of a fine not exceeding six hundred thousand shillings.</p>

Appeals

32.-(1) Where a person is aggrieved by the order or decision made under these Regulations, he may, within thirty days of such order or decision, appeal to the Minister.

(2) The appeal shall be made in writing, dated, signed by the Appellant setting out clearly the grounds of appeal in chronological order, the remedy sought and all supporting documents.

(3) The Minister, upon considering the grounds for appeal may:-

- (a) dismiss the appeal;
- (b) set aside the decision and substitute it with another decision; or
- (c) vary the decision as he may deem appropriate.

(4) The decision of the Minister shall be communicated in writing to the parties.

(5) Notwithstanding the preceding provisions, the appellant may, at any time before appeal is determined, lodged with the Minister a notice that he does not intend further to proceed with the appeal.

(6) Upon receipt of such notice, the Minister shall mark the appeal officially withdrawn.

SCHEDULES

Centre for Agricultural Mechanization and Rural Technology (Agricultural Machinery and Rural Technology)

GN. No. 56 (contd...)

FIRST SCHEDULE

(Made under Regulation 4(3))

LIST OF AGRICULTURAL MACHINERY OR RURAL TECHNOLOGIES AND EQUIPMENT TO BE TESTED AT THE CENTRE FOR AGRICULTURAL MECHANIZATION AND RURAL TECHNOLOGY

	Name of Equipment / Machine
A	Sources of power and prime movers for agricultural production Including and not limited to tractors, motors, engines, wind turbines, water turbines, steam turbines, biomass, biogas and electric generators.
B	Tillage technologies Including and not limited to hoes, ploughs, cultivators, rotavators, ridgers, rippers, subsoilers, harrows, bund formers, soil augers and levellers.
C	Crop establishment technologies Including and not limited to planters, direct seeders, transplanters, fertilizer and applicators.
D	Irrigation and water supply technologies Including and not limited to water canes, water pumps, irrigation systems and water filtration system.
E	Crop protection technologies Including and not limited to weeders, sprayers, dusters, herbicide applicators, rodent trap and agricultural planes.
F	Harvesting technologies Including and not limited to reaper binders, combine harvester, tea shears, tea harvesters, crop loaders, mowers, crop balers, hay rakes and fruit pickers.
G	Post-harvest technologies Including and not limited to shellers, threshers, cleaners, decorticators, diggers, peelers, chippers, millers, hullers, expellers, mixers, grinders, , pulpers, pelleters, graters, slicers and extruders.
H	Forestry and horticultural technologies Including and not limited to tree climbing tools and devices, and tree pruning tools.
I	Livestock, fishery and bees related machines. Including and not limited to feeders, drinkers, incubators, pluckers, fish pond aerators, honey press, centrifugal separator, milkers and abattoir technologies.
J	Rural Transport Including and not limited to wheelbarrows, carts, three wheelers and agricultural trailers.
K	Renewable Energy technologies Including and not limited to solar dryers, biogas plants, bio-slurry filters, solar water heaters, solar cookers, photovoltaic solar systems and biogas stoves.
L	Gas and biomass technologies Including and not limited to stoves for various energy sources such as charcoal, firewood, saw dust, paraffin and ethanol.
M	Farm structures Including and not limited to green house, ware house, storage bins and animal dip and sprayer system.
N	Low cost housing and related technologies Including and not limited to Cinvaram machines and soil cement blocks.

Centre for Agricultural Mechanization and Rural Technology (Agricultural
Machinery and Rural Technology)

GN. No. 56 (contd...)

SECOND SCHEDULE

(Made under Regulation 5(1))

FORMS

MRT-F1



CAMARTEC

CENTRE FOR AGRICULTURAL MECHANIZATION AND RURAL TECHNOLOGY
KITUO CHA ZANA ZA KILIMO NA UFUNDI VIJIJINI

Tel: 2549214 / 2549292
E-mail: dg@camartec.go.tz
Fax: +255252549000
Website: www.camartec.go.tz

P.O. Box 764
Arusha
Tanzania

APPLICATION FOR TESTING OF MACHINERY AND/ OR RURAL TECHNOLOGIES
(Fill in duplicate)

1.	Name of the applicant:	
2.	Physical address:	
3.	Contact:	
4.	Machine to be submitted for the test:	
5.	Name and address of manufacturer:	
6.	Year of Manufacturing:	
7.	Applicant's capacity:	<input type="checkbox"/>
	Authorized importer	<input type="checkbox"/>
	Distributor	<input type="checkbox"/>
	Designer	<input type="checkbox"/>
	Manufacturer	<input type="checkbox"/>
	Other (please specify)	<input type="checkbox"/>

Centre for Agricultural Mechanization and Rural Technology (Agricultural Machinery and Rural Technology)

GN. No. 56 (contd...)

8.	Type of work the machine or component has been designed for and special features of the machine, if any																									
10.	Are all the parts locally produced? Yes <input type="checkbox"/> No <input type="checkbox"/>																									
11.	Suitable sampling period																									
12.	Attachments supplied with machinery/rural technology:																									
13.	Accessories and attachments proposed to be submitted with the machinery/ rural technology for test																									
15.	List of enclosures (to be supplied in duplicate): <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Machine specifications</td> <td style="width: 10%; text-align: center;"><input type="checkbox"/></td> <td style="width: 10%;">Yes</td> <td style="width: 10%; text-align: center;"><input type="checkbox"/></td> <td style="width: 10%;">No</td> </tr> <tr> <td>Operators manual</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Yes</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>No</td> </tr> <tr> <td>Service manual</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Yes</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>No</td> </tr> <tr> <td>Parts catalogue</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Yes</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>No</td> </tr> <tr> <td>Any other printed literature (please specify)</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Yes</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>No</td> </tr> </table>	Machine specifications	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	Operators manual	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	Service manual	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	Parts catalogue	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	Any other printed literature (please specify)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Machine specifications	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No																						
Operators manual	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No																						
Service manual	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No																						
Parts catalogue	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No																						
Any other printed literature (please specify)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No																						
16.	Do you propose to have a witness during the test <input type="checkbox"/> Yes <input type="checkbox"/> No																									
18.	Details of safety (if any):																									
19.	Any other details/ information																									
21.	Applicant's certificate I/We that the above information is correct to the best of my knowledge /our knowledge. Name: Designation: Applicant/ Director's signature: Official stamp: Dated: ----- FOR OFFICIAL USE ONLY Received by: Name: Signature: Designation: Date:																									

THIRD SCHEDULE

(Made under Regulation 5(5))

APPLICATION PROCEDURE FOR TESTING OF MACHINERY/RURAL TECHNOLOGIES

1. – (1) The applicant shall apply by filling the application form addressed to the Director General for testing agricultural machinery and rural technologies.
(2) The application form shall be accompanied by:-
 - (a) A list of agricultural implements and/or machinery to be tested;
 - (b) Specifications for each agricultural implement to be tested;
 - (c) User manual, parts catalogue and service manual;
 - (d) Attachments, jigs and fixtures.
2. –(1) Where the Centre receives application for testing of agricultural machinery/rural technology, the Director General shall respond to the applicant stating the following:
 - (a) The testing fee to be paid for each agricultural machinery/rural technology;
 - (b) Commencement of the test;
 - (c) Duration of testing.
3. The applicant shall sign a testing agreement with the Centre, specifying the duties and rights of the parties and stating the test location.

FOURTH SCHEDULE

(Made under Regulation 22(2))

MRT-F2



CAMARTEC

CENTRE FOR AGRICULTURAL MECHANIZATION AND RURAL TECHNOLOGY
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Website: www.camartec.go.tz

P.O. Box 764
Arusha
Tanzania

TESTED MACHINERY/RURAL TECHNOLOGY CERTIFICATE

No.

This certificate relates to:

Manufactured/supplier by:

This certifies that manufactured by.....

has been tested by the Centre for Agricultural Mechanization and Rural Technology (CAMARTEC) and found to comply with the performance requirements.

The holder of this Certificate shall be permitted to use the above certificate number in relation to the tested machinery/rural technology in a manner acceptable to CAMARTEC. CAMARTEC shall conduct surveillance inspection to the manufacturing site for the selection of samples for testing and to check the performance and quality of certified machinery and/or rural technology models to ensure that they conform to the quality and standards of tested sample. The Agricultural Mechanization and Rural Technology Regulations: Government Notice No. published on the day of2018 are applicable to this certificate.

FIFTH SCHEDULE

(Made under Regulation 29)

FEES STRUCTURE FOR TESTING AND CERTIFICATION

Testing fees varies with type and capacity of agricultural machinery and/or rural technologies. The table below provides the detail cost element included in the testing fee:

1. Testing fees covering, pre-testing, inspection and sampling fee, transport, fuel, lubricant, repair and maintenance, labour costs and administration. This varies depending on the type, location and capacity of machinery/technology.
2. Annual Certification fees covering surveillance inspections and consultations.

.....
Signed for Centre for Agricultural Mechanization and Rural Technologies

Date:

Dodoma,
18th January, 2018

CHARLES J. MWIJAGE,
*Minister for Industry, Trade and
Investment*