

TATOA



E-MAGAZINE VOLUME 8

AUGUST 2024

WORD FROM THE TRESURER

SAADKHAN ISMAIL



Dear Members and Stakeholders,

As the Treasurer of the Tanzania Truck Owners Association (TATOA), I am honored to address you during this pivotal time for our industry. The challenges we face, particularly with the recent closure of the Zambia and DRC border, have tested our resilience and unity. It is crucial that we come together to navigate these obstacles and advocate for our collective interests.

The Tanzania Truck Owners Association has been proactive in engaging with the Tanzanian government to address the implications of the border closure. Our efforts to present a united front highlight the importance of our role in the transportation sector and the broader economy. We are committed to ensuring that our voices are heard and that we work towards practical solutions that will allow us to continue our operations smoothly.

In addition to our advocacy efforts, we are dedicated to maintaining transparency and accountability in our financial dealings. As your Treasurer, I assure you that we are managing our resources responsibly to support initiatives that benefit all our members. We are also exploring new avenues for funding and partnerships that will enhance our capacity to serve you better.

I encourage all members to stay engaged, share your experiences, and participate in our meetings and discussions. Your insights are invaluable as we strategize for the future. Together, we can strengthen our association and ensure that the interests of truck owners in Tanzania are prioritized.

THANK YOU FOR YOUR CONTINUED SUPPORT AND COMMITMENT TO OUR SHARED MISSION.



Launch of Guidelines for Handling and Management of Ammonium Nitrate BY GCLA

On August 24, 2024, a significant milestone was achieved with the launch of comprehensive guidelines for the handling and management of ammonium nitrate in Tanzania. This initiative, vital for enhancing safety and environmental protection, was unveiled at a well-attended event that brought together industry stakeholders, government officials, and representatives from various sectors.



Importance of the Guidelines

Ammonium nitrate, commonly used in the agriculture and mining industries, poses potential risks if not handled properly. The new guidelines aim to establish best practices for the safe transportation, storage, and use of this chemical. By implementing these protocols, the Tanzania Truck Owners Association (TTOA) seeks to ensure the safety of transporters, workers, and the surrounding communities.

Key Features of the Guidelines

The guidelines cover several crucial aspects, including:

- ***Transportation Protocols*:** Clear instructions on the safe loading, unloading, and transport of ammonium nitrate to minimize risks during transit.
- ***Storage Requirements*:** Recommendations for appropriate storage facilities that meet safety standards to prevent accidents.
- ***Emergency Response Plans*:** Strategies for handling emergencies related to ammonium nitrate, including spill management and evacuation procedures.

Stakeholder Collaboration

The successful launch of these guidelines was made possible through collaboration among various stakeholders, including government agencies, industry leaders, and safety experts. Their collective effort underscores the importance of shared responsibility in ensuring the safe handling of hazardous materials.



COMMITMENT TO SAFETY

The TATOA is committed to promoting safety and compliance within the trucking industry. By adhering to these new guidelines, transporters can significantly reduce the risks associated with ammonium nitrate and contribute to a safer working environment.



Moving Forward

As the guidelines are rolled out, the Tanzania Truck Owners Association encourages all members to familiarize themselves with the new protocols and integrate them into their operations. Continued education and training will be essential to ensure that everyone involved in the handling and transport of ammonium nitrate is equipped with the knowledge and skills needed to operate safely.

The launch of these guidelines marks a pivotal step toward enhancing safety standards in Tanzania's transport sector. Together, we can ensure a safer future for all. Stay tuned for more updates and resources in our e-magazine!



Celebrating Excellence at the 200 CEOs Business Forum

On August 29, 2024, Mlimani City Conference Center in Dar es Salaam hosted the highly anticipated 200 CEOs Business Forum. This prestigious event brought together key stakeholders from various sectors, including oil and gas, mining, logistics, and transport. It served as a platform for networking, knowledge sharing, and discussing the future of these vital industries in Tanzania.



A GATHERING OF INDUSTRY LEADERS

The forum attracted a diverse group of participants, including government officials, industry experts, and business leaders. Attendees engaged in insightful discussions about the challenges and opportunities facing the transport and logistics sectors, emphasizing the critical role of collaboration in driving growth.





Honoring Excellence in the Transport Sector

During the forum, several outstanding individuals were recognized for their contributions to the industry. Notably, Mr. Faraj Abri, the CEO of ASAS, was awarded ***CEO of the Year*** in the transport industry. His leadership and innovative approach have significantly impacted the sector, setting a benchmark for excellence.

In addition, Salim Said Bakresa received a ***Certificate of Lifetime Achievement*** for his remarkable contributions to the logistics and transport fields. His dedication and vision have played a crucial role in shaping the industry landscape in Tanzania.



Looking Ahead

The 200 CEOs Business Forum not only celebrated individual achievements but also highlighted the importance of strategic partnerships and continuous improvement within the transport sector. As the industry evolves, events like these foster collaboration and inspire future leaders.



The Tanzania Truck Owners Association congratulates all award recipients and encourages its members to continue striving for excellence in their respective fields. Together, we can build a robust and sustainable transport industry that drives economic growth in Tanzania.



**TANZANIA TRUCK OWNERS ASSOCIATION RECEIVES
APPRECIATION AWARDS FROM LATRA**



In a significant acknowledgment of the pivotal role played by the Tanzania Truck Owners Association (TATOA) in the transportation industry, the Land Transport Regulatory Authority (LATRA) recently presented an appreciation award to the association. This honor not only celebrates the contributions of truck owners in facilitating the movement of goods across the nation but also emphasizes the importance of collaboration between regulatory bodies and industry stakeholders.

Recognizing the Backbone of Transportation

The transportation sector in Tanzania is crucial for economic growth, connecting producers to markets and consumers to essential goods. The TATOA has been at the forefront of this industry, ensuring that transportation services are not only efficient but also reliable and safe. By advocating for the rights of truck owners and promoting best practices, the association has helped streamline operations and enhance service delivery.

Acknowledgment from LATRA

During the award ceremony, LATRA officials highlighted the association's commitment to improving the transportation landscape in Tanzania.

Commitment to Excellence

In accepting the award, the leadership of the TATOA expressed gratitude for the recognition and reaffirmed their commitment to excellence in service delivery. They emphasized that this award is not just a tribute to the efforts of truck owners but a motivation to continue striving for better standards in the industry.





Future Collaboration

The award has also opened doors for future collaborations between LATRA and the TATOA. By working together, both entities aim to address challenges such as road safety, regulatory compliance, and the adoption of new technologies in transportation. These initiatives will ultimately lead to a more robust and sustainable transportation system in Tanzania.

Conclusion

The appreciation award from LATRA to the Tanzania Truck Owners Association is a testament to the vital role truck owners play in the transportation industry. As the sector continues to evolve, the TATOA remains committed to advocating for its members and ensuring that the transportation network in Tanzania is efficient, safe, and responsive to the needs of the economy. Together, with LATRA and other stakeholders, the TATOA is poised to drive the industry forward into a new era of growth and sustainability.



Advocating for the Reopening of the Zambia and DRC Border

The recent closure of the Zambia and Democratic Republic of Congo (DRC) border has created significant challenges for the transportation sector in Tanzania. With vital trade routes affected, the Tanzania Truck Owners Association (TATOA) has stepped up to engage with the Tanzanian government, aiming to facilitate the reopening of the border and ensure the continuity of operations for its members.

Understanding the Impact

The closure has disrupted the movement of goods between Tanzania and its neighbors, impacting not just truck owners but also businesses that rely on timely deliveries. Essential commodities, including agricultural products and manufactured goods, are facing delays, leading to increased costs and potential shortages in local markets.

TATOA's Engagement with Government

Recognizing the urgency of the situation, the TATOA has initiated constructive dialogue with key government officials. The association's leadership has conducted meetings with representatives from the Ministry of Transport and the Ministry of Trade to discuss the implications of the border closure and explore strategies for reopening.

Proposing Solutions

In addition to advocating for the reopening of the border, the TATOA has proposed solutions to mitigate future disruptions. These include enhancing customs processes to reduce waiting times at borders and improving communication between countries to ensure that truck owners are informed of any changes in regulations or procedures. And also proposing alternative route to Entry to DRC that is using lake Tanganyika

Looking Ahead

The TATOA remains optimistic about the potential for a resolution. By actively engaging with the government and other stakeholders, the association is committed to ensuring that the borders reopen and that trade can resume without further interruptions. The TATOA is also focusing on building a more resilient transportation network that can withstand future challenges.



NOTICE

13/08/2024

REF: TATOA/12/2024

REOPENING OF ZAMBIA-DRC BORDER CROSSING POINTS KASUMBALESA, SAKANIA AND MOKAMBO

Dear Members,

We are writing to inform you that the Government of Zambia has announced the reopening of border crossing points Kasumbalesa, Sakania and Mokambo, with the Democratic Republic of Congo (DRC) on **Tuesday, August 13, 2024**.

According to the announcement made by the Zambian Minister of Commerce, Chipoka Mulenga, after having meeting with DRC Minister of trade in Lubumbashi, the border crossing points that were temporarily closed on Sunday will now be reopened.

The two countries have agreed to respect the rules governing trade as supported by regional bodies and the World Trade Organization. They have also undertaken to respect the trade agreements between Zambia and DRC.

Additionally, the communique signed by the Zambian and DRC Ministers of Commerce states that all goods in transit should be cleared within 30 days.

This development is expected to facilitate the smooth movement of goods and services between Zambia and DRC, including the transportation of goods by Tanzania-based truck owners.

We encourage all our members to take note of this change and ensure their operations comply with the updated regulations and agreements between the two countries.

ISSUED BY,

TANZANIA OWNER'S ASSOCIATION

Conclusion

The closure of the Zambia and DRC border has posed significant challenges for truck owners in Tanzania. However, through proactive engagement with the government and collaboration with industry stakeholders, the Tanzania Truck Owners Association is working diligently to advocate for the reopening of the border. As they navigate this complex situation, the TATOA remains dedicated to supporting its members and ensuring the continuity of operations, reinforcing the vital role of truck owners in the region's economy.



TANZANIA TRUCK OWNERS MEETS WITH DPW TO DISCUSS CHALLENGES OF EXPORT CONTAINERS

In a recent meeting between truck owners in Tanzania and representatives from the Dar es Salaam Port (DPW), critical concerns regarding the acceptance of export containers were addressed. The primary issue at hand is DPW's policy of not accepting containers until a scanning report is issued, a situation that has led to drivers rejecting fully loaded export containers destined for DPW.



Key Issues Discussed

1. *Scanning and Vessel Planning*

DPW explained that the refusal to offload containers from trucks is a necessary measure to avoid delays in vessel planning. If a container is loaded onto a vessel without the appropriate scanning report, it could result in additional restowage by the terminal, subsequently delaying the vessel's departure. This practice is aimed at ensuring that all containers offloaded in the DPW yard have scanning results, allowing for a smoother loading process onto vessels.

2. *Impact on Operations and Costs*

The operational challenges stemming from the scanning policy have significant cost implications for all parties involved, including Customs Freight Agents (CFAs), transporters, and the terminal itself. When containers are loaded without a scanning report, the additional restowage costs are incurred by the terminal, which ultimately affects the pricing and efficiency of services offered to customers.





Agreements and Action Items

Following thorough discussions, several agreements were reached:

- ***Cut-Off Days*:** DPW agreed to establish cut-off days 24 hours before the Estimated Time of Berthing (ETB). This change will provide a necessary timeframe for completing vessel planning and addressing operational challenges related to scanning delays.
- ***Acceptance of Scanned Containers*:** DPW will accept containers that have been stamped by the Tanzania Revenue Authority (TRA) customs officer, indicating that the containers have been scanned and the physical scanned paperwork is available.
- ***No Further Gate Extensions*:** The terminal emphasized that there will be no further extensions beyond the established cut-off days. This decision was supported by both the Tanzania Truck Owners Association (TATOA) and the Tanzania Freight Forwarders Association (TAFFA).





Conclusion

The meeting between Tanzania truck owners and DPW marks a significant step towards resolving the issues surrounding the acceptance of export containers. By implementing the agreed-upon measures, stakeholders aim to enhance productivity, reduce costs, and streamline operations at the terminal, ultimately benefiting the entire logistics chain. As both parties work together, the focus remains on improving efficiency and service delivery for all involved in the export process.



Consequences of failing to fully comply with “Reinstatement” Order

Reinstatement literally means the action of taking an employee back to work on the same terms and conditions of employment as if termination of the employee never occurred. Reinstatement is preceded by termination which in most cases, is deemed to be unfair by the employee. In some occasions reinstatement can occur as an agreement between the employer and the ex-employee.



In Tanzania Mainland, reinstatement is among the legal remedies recognizable and awardable to an employee who has been unfairly terminated from the employment contract. This is as per section 40 (1) (a) of the Employment and Labour Relations Act, 2019 which reads as follows;

“Where an arbitrator or Labour Court finds a termination is unfair, the arbitrator or Court may order the employer – (a) to reinstate the employee from the date the employee was terminated without loss of remuneration during the period that the employee was absent from work due to the unfair termination.” (Emphasis added)

Further, section 40 (3) Of the Employment and Labour Relations Act (Supra) legal implications of the situation where the order to reinstate an employee is given and an employer is unwilling to reinstate such an employee. The quoted provision provides as follows; -

“Where an order of reinstatement or reengagement is made by an arbitrator or Court and the employer decides not to reinstate or re-engage the employee, the employer shall pay compensation of twelve months wages in addition to wages due and other benefits from the date of unfair termination to the date of final payment”

This article via the recent Court of Appeal case of **Anna Reuben Mtaita vs STANBIC Bank Tanzania Limited [2024] TZCA 687 (6 August 2024) (Unreported)**, examines the consequences lying behind partial compliance or total failure to comply with the reinstatement order.

In the above case, the Appellant, was summarily dismissed from her job by the Respondent in March 2006. She contested the dismissal and the Conciliation Board ordered her reinstatement in November 2007. Despite this, the Respondent challenged the decision, but the Minister for Labour Matters upheld the Board's ruling in August 2008.



Consequences of failing to fully comply with "Reinstatement" Order cont..

The Appellant then requested her reinstatement, but the Respondent responded with conditions, suggesting alternatives since her previous position was no longer available. Eventually, she was dismissed again in February 2009 for allegedly absconding from work. The Appellant's attempt to enforce the Minister's order was dismissed by the Deputy Registrar and later upheld by the High Court, prompting her appeal.

At the Court of Appeal, the core issue was whether the Respondent had properly reinstated the Appellant. On appeal, the court ruled that:

"Simply telling Respondent, she was reinstated, without assigning her to her previous position or providing equivalent work, did not meet the legal requirements for reinstatement"

The Court found that the appellant was not reinstated as required by law, concluding that merely informing her of her reinstatement without providing her with her original job position or duties did not meet the legal requirements of reinstatement.

Consequences of failure to comply with the Reinstatement Order

Non-compliance with reinstatement orders can have severe implications for employers including but not limited to: -

- 1.Reputational Damage:** Prolonged legal disputes over non-compliance can damage an employer's reputation, particularly in cases involving wrongful dismissal.
- 2.Financial Implications:** Non-compliance can result in financial penalties, including compensation for the employee's lost wages and benefits during the period of non-compliance.

This Court of Appeal Decision underscores the importance of adherence to reinstatement orders and the potential consequences of non-compliance. Employers must be diligent in fulfilling their legal obligations to avoid legal disputes and the associated repercussions.

ATE emphasises that Employers should carefully ensure compliance with the law includes the court/authority Orders so as to be in compliant and to seek advice from ATE on steps to be taken so as to be in safe hands before the law.



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THE CITIZEN
Tuesday, August 13, 2019
www.citizen.co.tz

Political tension as Chaderma, police trade blame

What makes Tanzania an investment hotspot

A new study by PwC has put Tanzania in the 12th most desirable investment destination in Africa, rating key factors influencing the position as the country's strong economic growth potential and favourable business climate

STORY ON PAGE 2

Gold site showdown as miners demand fair compensation

Tanzania's holding of all the claims going mining in the Chagga National Reserve area is small-scale miners, as well as the government of the area is a (Shamba) (Shamba)

STORY ON PAGE 1

Tanzania to mandate energy audits for large consumers

Why one network area is yet to ease EAC call rates

Many officials in the East African Community (EAC) are yet to ease EAC call rates, the government has to ease EAC call rates

STORY ON PAGE 1

THE CITIZEN
Friday, August 9, 2019
www.citizen.co.tz

Growers assured no drop in sugar prices amid fears

Tanzania's SGR expansion to boost intra-Africa trade

The government has committed to boosting regional trade by expanding the Standard Gauge Railway network to connect Tanzania with neighbouring Burundi and DRC, effectively bridging the gap between East and West Africa

STORY ON PAGE 2

7,000

Police in Dar es Salaam (Dar es Salaam)

Expectations as Tax Commission set to hit the ground running

Alleged love triangle ends in tragic deaths in Mwanza

THE CITIZEN
Wednesday, August 14, 2019
www.citizen.co.tz

Win for Ruto as Kenya's Supreme Court reinstates controversial Finance Act

What Uganda's oil importation via Dar port means for Tanzania

Uganda's decision to ditch Kenya and export oil through the Port of Dar es Salaam is a strategic move that will significantly alter Tanzania's standing as a regional trade hub

STORY ON PAGE 2

36m

Uganda National Oil Company (Uganda)

STORY ON PAGE 2

Diggers
Life
Ear to the ground

GOVT CLOSES DRC BORDERS

As Congolese protest import ban of illegal mining - HH

We don't want Zambian products

"Priests and relationships"

My husband always gives me syphilis, laments wife

Wife sues bed

Judges should speak out on high profile cases, other issues - CJ

NO MALAITI! IT'S RIGHT! WE'VE GOT IT!

LET A FEMALE BUREAU AND INTERVIEW BUREAUS



UPCOMING EVENTS





LOGISTICS

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EVENT

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Permanent Secretary

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Tanzania Truck Owners Association

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Helps you to get the latest updates and upcoming events.

Give you access to our monthly E-magazine.

TATOA website maintains a register of liable transporters to help the public

The website provides access to a directory where companies can upload their photos, which are then made accessible to the public.

LEARN MORE

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MEMBERS VISITS

