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THE WATER SUPPLY AND SANITATION ACT
(CAP.272)

REGULATIONS

(*Made under section 43(1) - (3)*)

THE WATER SUPPLY AND SANITATION (LICENSING BOARD)
REGULATIONS, 2018

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THE WATER SUPPLY AND SANITATION ACT
(CAP.272)

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REGULATIONS

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(*Made under section 43(1) - (3))*

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THE WATER SUPPLY AND SANITATION (LICENSING BOARD)
REGULATIONS, 2018

PART I
PRELIMINARY PROVISION

Citation

1. These Regulations may be cited as the Water Supply and Sanitation (Licensing Board) Regulations, 2018.

application

2. These regulations shall apply to engineers, technicians or craftsmen in relation to execution of water works and sanitation works.

Interpretation

3. In these Regulations, unless the context otherwise requires:

"Act" means the Water Supply and Sanitation Act;

"Board" means the Water and Sanitation Licensing Board established under regulation 4;

"Chairman" means the Chairman of the Board and includes a person elected to preside at a meeting of the Board;

"craftsman" means a person posses holding a relevant certificate on discipline related to water supply and sanitation from a recognized institution;

Cap. 63 "engineer" has the meaning ascribed to it in the Engineers Registration Act;

"license" means license issued under these regulations

"licensee" means Engineers, Technicians and Craftsmen who hold a license;

"sanitation works" has the meaning ascribed to it under the Act

"technician" means a person holding Full Technician Certificate or Diploma in Engineering, or any field related to water supply and sanitation discipline from a recognized institution;

"waterworks" has the meaning ascribed to it under the Act.

PART II
ESTABLISHMENT OF LICENSING BOARD

Establishment of Licensing Board

4.-(1)There shall be established a Board for licensing of Water and Sanitation Engineers, Technicians and Craftsmen to be known as the "Water and Sanitation Licensing Board".

(2) The constitution and administration of the Board shall be as prescribed under the first schedule to these regulations.

Functions of the Board

5. The functions of the Board shall be to-

(a) issue license to water and sanitation engineers, technicians and craftsmen,
(b) keep and maintain a register of all licensed engineers, technicians and craftsmen;
(c) regulate activities of water and sanitation engineers, technicians and craftsmen;
(d) organize training courses;
(e) promote and maintain professional conduct and integrity of licensed engineers, technicians and craftsmen;
(f) publish and dissemination of materials produced in connection with the activities of the Board;
(g) collaborate with both local and international professional boards and associations involved in and with the waterworks and sanitation works;
(h) ensure compliance of the criteria set to different classes of licensee;
(i) propose review of the licensing criteria; and
(j) carry out any other functions which are in the public interest and which the Minister may direct.

Powers of the Board

6. The Board shall have powers to-

(a) revoke or suspend license, where a licensee;

(i) is in breach of the Code of workmanship as provided in these regulations;

(ii) has been suspended from practice;

(iii) is in default of fees;

(iv) is insolvent;

(v) has been convicted for criminal offence for the past one year from the date of conviction;

(vi) is of unsound mind; or

(vii) any other reasons as the Board may deem fit.

(b) enter and inspect any site for construction, installation, or alteration works for purpose of verifying and ensuring that the waterworks and sanitation works are being undertaken by the licensed engineers, technician and craftsmen.

PART III
REQUIREMENT FOR LICENSE

application for license

7.-(1) A license shall be obtained upon application to the Board in the form set out in the Second Schedule to these regulation.

(2) The application shall be accompanied by a fee specified in the Third Schedule to these Regulations.

(3) A person applying for license shall:

(a) In case of Engineer-

(i) holding a degree in engineering or equivalent qualification from a recognized institution;

(ii) registered with Engineers Registration Board;

(b) In case of Technician-

(i) holding a diploma in engineering, hydrology, hydrogeology, survey, water laboratory, full technician certificate, or equivalent qualification from a recognized institution;

(ii) registered with Engineers Registration Board;

(c) In case of Craftsmen, shall be-

(i) holding a trade test certificate from an institution recognized by NACTE; or

(ii) National Technical Award level 4 from an institution recognized by NACTE.

(3) A person shall not conduct any activity under these Regulations without possessing a valid license issued by the Board as set out in Fourth Schedule to these Regulations.

Determination of Application

8.-(1) The Board may, in determination of application and where it appears the applicant run short of conditions prescribed under these Regulations, specify a time within which such person shall be required to meet conditions.

(2) The Board shall determine the application within three months from the date of receipt of the application and notify the applicant within thirty days from the date of decision.

(3) The application shall be accompanied by certified copies necessary to support such application.

(4) The Board may require an applicant to furnish such other information or evidence of eligibility for licensing as it may think fit, and may require the applicant to attend in person before the Board.

Grant or reject of license

9.-(1) The Board may grant or reject the issuance of license to any person subject to requirements made under these regulations.

(2) Without prejudice to subsection (1), before granting license a Board shall consider appropriate class and code of a licensee profession as prescribed under Fifth Schedule of these regulations.

(3) An applicant whose application has been rejected and who intends to reapply shall submit fresh application.

Validity of the license

10. The License shall be valid for a period of three years from date of issue.

Application for renewal of license

11.-(1) Where a license expires, the licensee shall be required to apply for renewal.

(2) Subject to sub regulation (1), the applicant shall be subjected to scrutiny for compliance with good workmanship.

Cancellation, revocation or

12. The Board shall have power to cancel, revoke or

suspension of license

suspend a license issued under these Regulations where licensee fails to comply with conditions or code of good workmanship.

PART IV
GENERAL PROVISIONS

Annual Fees

13.-(1) Every licensee shall be required to pay annual fee to the Board of such amount as prescribed in the Fourth Schedule to these regulations and such fee shall be due on 1st January of each calendar year.

(2) Where person fails to pay annual fee until the end of April of each calendar year, a penalty of 10% shall be imposed to the outstanding amount for every calendar month remains unpaid.

Appeal

14. A person aggrieved by the decision of the Board may, within fourteen days from date of receiving such decision, appeal to the Board for review.

Appeal to the Minister

15. Where a person is aggrieved by the review of the Board may, within fourteen days from date of receiving such decision, appeal to the Minister.

Appeal to the High Court

18. Where a person is aggrieved by the decision of the Minister may, within thirty days from date of receiving such decision, appeal to the High Court for review.

Codes of workmanship

17.-(1) An Engineer, Technician or Craftsman shall observe the codes of workmanship as prescribed in the Sixth Schedule to these regulations.

(2) A Licensee failing to observe any provisions in this Code shall be liable to penalties as the Board may determine.

(3) A person who conducts any activity relating to waterworks or sanitation works shall, not later than six months after coming into force of these regulations, apply to the Board for a license.

FIRST SCHEDULE

(*Made under regulation 4(2)*)

MEMBERSHIP AND PROCEDURES OF THE LICENSING BOARD

Composition of the Board

1.-(1) The Board shall consist of seven members who shall be appointed by the Minister, as follows:

(a) a Chairman who shall be Professional Engineer;
(b) The secretary of the Board who shall be Director responsible for Water Supply and Sanitation;
(c) A member from vocational training institution;
(d) A representative from water authorities;
(e) An Officer of or above the rank of Senior Legal Officer from the Ministry responsible for water;
(f) A member from the Ministry responsible for Regional Administration and Local Government; and
(g) A member from Engineers Registration Board;

(2) At least one third of the members shall be women.

(3) The Board may co opt any person who is not a Member to the Board to participate in the deliberations of any matter in the meeting of the Board but such person shall not have right to vote.

Vice Chairman

2. The members shall elect among themselves a member to be a vice chairman of the Board and who shall, subject to his membership, hold office for a term similar to that of Chairman.

Tenure

3. Members of the Board shall hold office for a term of three years except where their membership is terminated for misconduct or any sufficient reason and shall be eligible for re appointment for a further one term.

Meetings of the Board

4.-(1) The Board shall meet at least once in every three months.

(2) The Chairman, or in his absence a Vice Chairman shall convene meeting.

(3) Where the Chairman and Vice Chairman are absent, members shall elect among themselves a Member to be a Chairman.

Extra Ordinary Meeting

5. An Extra Ordinary Meeting of the Board shall be convened by the Chairman or Vice Chairman upon request in writing signed by not less than three Members or approval of not less than three Members.

Quorum

6. The quorum at any meeting of the Board shall be at least four members in the office.

Decision

7.-(1) Questions proposed at a meeting of the Board shall be decided by a majority of the votes of the members present and voting and in the event of

equality of votes, the person presiding shall have a second or casting vote in addition to his deliberate vote.

(2) Notwithstanding sub-paragraph (1) a decision may be made by the Board without a meeting by circulation of relevant papers among the members, and the expression in writing of similar views by the majority of the members shall constitute the decision of the Board.

Vacancy shall not invalidate decision

8. The validity of any act of proceedings of the Board shall not be affected by any vacancy among its members or by any defect in the appointment of any of them.

Minutes of Meeting

9.-(1) The Board shall record and keep minutes of all business conducted or transacted at its meetings and the minutes of each meeting of the Board shall be read and confirmed, or amended and confirmed, at the next meeting of the Board and signed by the person presiding at the meeting.

(2) Any minutes purporting to be signed by the person presiding at a meeting of the Board shall, in the absence of proof of error, be deemed to be a correct record of the meeting whose minutes they purport to be.

Orders, directions, etc

10. All orders, directions, notices or other documents made or issued by or on behalf of the Board shall be signed by-

(a) The Chairman or Vice Chairman: or

(b) The Secretary or any other officer or officers of the Board authorised in writing to do so by the Chairman

Affixing seal of the Authority

11. The seal of the Board shall not be affixed to any instrument except in the presence of the Chairman or the Vice-Chairman or the Secretary or some other officer of the Board.

Proceedings

12. The Board may regulate its own proceedings.

Dissolution

13. The Minister may dissolve the Board

SECOND SCHEDULE

Form No:_____

THE UNITED REPUBLIC OF TANZANIA
MINISTRY OF WATER AND IRRIGATION



AFFIXPASSPORT SIZE

Water and Sanitation License Board

APPLICATION/RENEWAL FOR LICENSE

(Made under Regulation 7(1)

(To be completed in Duplicate)

Ministry of Water and Irrigation,
The Water Supply and Sanitation Licensing Board,
Maji Dodoma,
000, Madaraka Road
P.O.Box 000,
000,Dodoma.

1. Name of Applicant: ……..… Postal Address: ……
   Email: ……..... Fax: ……..
   Telephone: ……..…… Mobile: ……..……
   Physical Address: ……..…….

2. Particulars of the academic qualifications:-
   a) Level of education: ……..
   b) Professional ……..……
   c) Registration No: ERB (if any): ….……..…..……

3. Brief professional experience (attach CV/Work performed under the previous license)

4. Declaration:

I hereby certify that the information given above is true and correct

Full Name of the Applicant……..…….……..

Signature of the Applicant…….…… Date……..

5. Decision of the Board:

(a) The application has been Accepted/Rejected……..……...…

(b) If Rejected give reasons……...……

……..…….

Name: ……. Signature of the Registrar: …… Date: ……

Cross which ever not applicable

THIRD SCHEDULE

LICENSING FEES

(Made under regulation 7(2))

(A) For Registered Engineers/Professional Engineers:			
S/N	**Type of fee**	**Local Amount**	**Foreign Amount**
1.	Application for Licence	20,000/=	$ 200
2.	Annual Fee	40,000/=	$ 400
3.	Renewal fee	20,000/=	$ 200
(B) For Registered Technicians:			
4.	Application for Licence	15,000/=	
5.	Annual Fee	30,000/=	
6.	Renewal fee	15,000/=	
(C) For Craftsmen			
7.	Application for Licence	10,000/=	
8.	Annual Fee	20,000/=	
9.	Renewal fee	10,000/=	

FOURTH SCHEDULE

THE UNITED REPUBLIC OF TANZANIA

MINISTRY OF WATER AND IRRIGATION



Water and Sanitation License Board

CERTIFICATE OF LICENSE
(Made under regulation 7(3))

License No: ……Class .....

This is to Certify tha……. of …….. is licensed as an Engineer /Technician/Craftsman under the provision of the Water Supply and Sanitation (Licensing Board) Regulations, to execute Waterworks and sanitation works with Code: ……

Date of issue: .....20..... Date of expiry: .....20.....

Dated this …… day of ……20……

Signature:
_____
Chairman of the Licensing Board.

Cross out whichever not applicable

FIFTH SCHEDULE

(Made under regulation 9(2))

Professional Category, License Classes and Discipline Codes

Category	**License Class**
Consulting Engineer	A
Professional Engineer	B
Graduate Engineer	C
Full Technician	D
Assistant Technician-	E
Craftsman	G

Discipline	**Code**
Civil Engineering	CE
Water Supply or Water Resources Engineering	WRE
Environmental Engineer	EE
Soil Engineering	SE
Chemical Engineering	CHE
Water Plants Mechanical Engineering	ME
Water Plants Electrical & Electronics Engineering	WPE
Systems control Engineering	SCE
Water works	Ww
Hydrology	HD
Hydrogeology	HDG
Draftsman	DFN
Surveyor	SVR
Water laboratory	WL
Plant mechanics	PM
Plant electrician	PE
Plant operator	PO
Plumber	P
Pump mechanics	PUM
Mason	M
Carpentry	C
Drilling	Dr

SIXTH SCHEDULE

THE WATER SUPPLY AND SANITATION ACT, 2009 **CODES OF WORKMANSHIP FOR LICENSEES** *(Made under Regulation 17(1))*	
Citation	1. This Code may be cited as the Codes of Workmanship for Licensees.
Application	2. This Code of Workmanship shall apply to Engineers, Technicians and Craftsmen.
The fundamental principles	3. A Licensee shall undertake to maintain and progress the truth, honor and dignity of the engineering work by:-
	(a) being honest and impartial, and shall serve the costumers with fidelity; (b) being determined to develop the skill of other licensees; and (c) supporting the skill and technical societies of his disciplines.
The fundamental canons	4. A Licensee shall
	(a) uphold the safety, health and welfare of the customers and protection of the environment in performance of his technical work;
	(b) perform technical work and services only in the area of his technical duties; and
	(c) build his technical reputation on the merit of the services and shall not compete unfairly with others.
Obligation to society	5. (1)Every licensees shall, at all times-
	(a) recognize that his primary obligation is to protect the safety, health, property and welfare of the public. In the event that his professional judgment is overruled under circumstances where the safety, Health, property or welfare of the public are endangered, he shall immediately notify in writing his employer or client, the Board and such other authorities as may be appropriate and shall elaborate all technical solutions which have been used but have failed to overcome the problem;
	(b) be objective and truthful in making or presenting professional reports statement or testimonies;
	(c) express his professional opinion on technical subjects only when that opinion is founded upon competence in the subject

	matter; and
	(d) take all reasonable steps to avoid waste of water, damage to the environment and damage or destruction of other infrastructures.
	(2)Licensee shall not permit the use of his name or firm name or his associate in business venture with any person or firm which he has reason to believe that he is involved in fraudulent or dishonest business or professional practices.
Disclosure of conflict of interests	6. (1) Every licensee shall- (a) disclose all known or potential conflicts of interest to his employer or client which may influence his performance or the quality of his service;
	(b) not accept compensation, financial or otherwise from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed to and agreed for by all interested parties;
	(c) not solicit or accept financial or other valuable consideration, directly or indirectly from contractors, his agents or other parties in connection with work for employers or clients for which he is responsible;
	(d) not reveal facts, data or information obtained in his professional capacity without the prior consent of the client or employer except if authorized or required by law; and
	(e) avoid improper solicitation of professional employment and shall in the circumstances: (i) not falsify or permit misrepresentation of himself, his associates, academic or professional qualification, or exaggerate his degree of responsibility and capability; (ii) not offer, give, solicit or receive, either directly or indirectly, any financial or material consideration of any amount intended to influence the award of a contract.
	(2) Notwithstanding the provision of subparagraph (1), a licensee in public service as a member, advisor or employee of a governmental body or department shall not participate in decisions with respect to professional services if he is an interested party.
	(3)A licensee shall endeavor to understand and take all reasonable steps to inform his clients and employers of societal and environmental consequences of actions or projects in which he is involved and to interpret issues to the public in an objective and truthful manner.
Integrity of licensee	7. (1) A licensee shall be guided in all his professional undertakings by the highest standards of integrity and shall:
	(a) admit and accept his own errors when proven wrong and refrain from distorting or altering the facts in an attempt to justify his decisions;

	(b) not accept secondary employment to the detriment of his regular work or interest.
	(2) Licensee shall, at all times strive to serve the interest of the public and shall in the progress:-
	(a) seek opportunities to be of constructive service in civic affairs and work for the advancement of the safety, health and well-being of the public;
	(b) endeavor to extend public knowledge and its achievements and to protect the licensee profession from misrepresentation and misunderstanding.
	(c) avoid actions or practices which are likely to discredit the licensee profession or deceive the public.
Prohibited practices	8. (1) A licensee shall not:
	(a) compete unfairly with another licensee by attempting to obtain employment or professional engagements by taking advantage of a position, or by criticizing another licensee or by other improper or unfair means;
	(b) request, propose, or accept a professional commission under circumstances in which his professional judgment may be compromised.
	(c) maliciously or falsely attempt to injure directly or indirectly, the professional reputation, prospects, practice or employment of another licensee, nor indiscriminately criticize other licensee's work and in the event that a licensee believes that another licensee is guilty of unethical or illegal practice, shall present such information to the proper authority for action.
	(2) A licensee;
	(a) in private practice shall not review the work of another licensee for the same client, except with the knowledge of such other licensee;
	(b) in government, industrial, public or educational employment is entitled to review and evaluate the work of other licensees when so required by his employment duties;
	(c) in sales or industrial employment is entitled to make engineering comparisons of represented products with products of other suppliers; and
	(d) shall not copy or steal other licensee' documents or work for his personal gain.
	(3) Every licensee shall accept personal responsibility for every professional activity under his charge and-
	(a) shall conform with state registration laws in the practice of engineering;

	(b) shall not associate with any person for unethical acts, and if he does, he will take personal responsibility for his professional actions.
Cooperation, development and advancement of licensee	**9.** (1)Every licensee shall cooperate in extending the effectiveness of the profession by interchanging information and experience with other licensees and students, and will endeavor to provide opportunity for the professional development and advancement of licensee under his supervision and in that case he shall:-
	(a) encourage young professionals efforts to- (i) improve their education; (ii) attend and make presentations at professional and technical society meetings; and (iii) become licensed at the earliest possible date.
	(b) take part or responsibilities in training and supervising inexperienced licensee.
	(2)Every licensee shall take all reasonable steps to maintain and develop his professional competence by acquainting himself to new developments in science and engineering relevant to his field of activities and shall provide opportunities for the professional development of his subordinates.
Recognition of the proprietary interests	10. (1) Every Licensee shall give credit for water and sanitation works of those to whom credit is due, and recognize the proprietary interests of others.
	(2) Every licensee using designs supplied by a client shall recognize that the designs remain the property of the client which shall not be duplicated by the licensee for others without express permission of the client.
Overruling of professional advice	11. A licensee whose professional advice is not accepted shall take all reasonable steps to ensure that persons overruling or neglecting his advice are aware of the dangers the licensee believes may result from such overruling or neglect.
Breach of codes of workmanship	12. No Licensee shall assist, induce or be involved in the breach of this Code of workmanship but shall do all necessary endeavors to support those who seek to uphold it and report immediately any unethical technical decisions or practices by licensee and others to the Board.

L. S

Dodoma,
14th March, 2018

ISACK A. KAMWELWE,
Minister for Water and Irrigation