

GOVERNMENT NOTICE NO. 410 Published on 10-8-2018

THE RAILWAYS (AUTOMATIC BRAKE, PASSENGER COMMUNICATION UNIT AND
AUTOMATIC COUPLER) REGULATIONS, 2018

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Railways (Automatic Brake, Passenger Communication Unit and Automatic Coupler)

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THE RAILWAYS ACT
(NO. 10 OF 2017)

REGULATIONS

(Made under section 95)

THE RAILWAYS (AUTOMATIC BRAKE, PASSENGER COMMUNICATION
UNIT AND AUTOMATIC COUPLER) REGULATIONS, 2018

Citation	1. These Regulations may be cited as the Railways (Automatic Brake, Passenger Communication Unit and Automatic Coupler) Regulations, 2018.
Interpretation	2. In these Regulations, unless the context otherwise requires:
No. 10 of 2017	“Act” means the Railways Act; “automatic brake” means a safety technology that brake is automatically activated in the event of any loss of air pressure in the train pipe; “coach” means a railway carriage primarily used for the carriage of people and includes a restaurant car and a luggage van; “Corporation” means the Tanzania Railways Corporation established under section 4 of the Act; “driver” means an authorized employee responsible to operate a propelled vehicle; “rolling stock” means a vehicle that operates on or uses the rail track; “train” means a locomotive with a vehicle attached or a light locomotive or motor trolleys which is designated as a train; “train guard” means an employee in charge of the train; and “vehicle” means any wagon, coach, trolley, van or other conveyance used for transport by the Corporation.
Trains to be fitted automatic brakes	3.-(1) All trains moving on the running line shall be

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fitted with continuous automatic brakes capable of being applied by the driver and train guard.

(2) The brakes of not less than eighty-five per centum (85%) of the wheel pairs in the train shall be in good working order.

Brakes on rolling stock

4.-(1) Brake systems of rolling stock attached to any train shall be capable of graduated release.

(2) Each locomotive on the train shall have a functioning dynamic brake, an independent locomotive brake, and a mechanical parking brake in addition to the air automatic brake.

Electronically Controlled Pneumatic Brakes

5. A train designed to run at a speed of more than one hundred and twenty kilometers per hour or having a length of more than 1.5 km shall be equipped with Electronically Controlled Pneumatic Brakes capable of braking all vehicles simultaneously without depleting the brake train pipe pressure.

Brake vans

6. A train with more than five wagon length shall run with a brake van coupled at the rear and manned by a train guard, unless:

- (a) a suitable end-of-train device is attached to the rear of the train;
- (b) trackside train protection equipment has been installed; and
- (c) the Regulator has approved that the system provides sufficient protection to replace the Brake Van.

Internal rules and procedures

7. The Corporation shall formulate its own rules and procedures on operation of the braking systems of vehicles and trains for the guidance of operating and maintenance staff.

Passenger communication unit

8.-(1) Coaches and brake vans shall be fitted with a passenger communication unit comprising of a red handle which when operated actuates a pneumatic valve to slightly reduce train pipe pressure as an emergency signal to the train driver and after a set time delay with no action from the driver emergency brakes shall automatically apply.

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(2) One or more passenger communication units shall be fitted at a convenient location at each end inside the coach.

Automatic coupler

9. The Corporation shall not haul or allow to be used on its railway a vehicle which is not:

- (a) equipped with couplers capable of being coupled automatically by impact and being uncoupled without the necessity of individuals going between the ends of the vehicles;
- (b) provided with secure grab irons or handholds on the ends and sides for greater security to individuals coupling and uncoupling the vehicles;
- (c) compliant with the standard height of draft gear prescribed in the railway's standard specifications; and
- (d) provided with secure sill steps and efficient hand brakes.

Offences and penalties

10. A person who contravenes any of the provisions of these Regulations commits an offence and is liable on conviction to a fine not less than five million shillings and not exceeding ten million shillings or to imprisonment for a term not less than two years and not exceeding five years or to both.

Compound of offence

11.-(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 defense 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).

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(3) Where the person fails to comply with the compounding order issued under this section 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.

Dodoma,
30 July, 2018

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Minister for Works, Transport and Communication