REPUBLIC OF RWANDA

RWANDA UTILITIES REGULATORY AGENCY

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AMABWIRIZA AGENGA GUTWARA ABANTU N'IBINTU MU MAZI	GUIDELINES GOVERNING BOAT DRIVING IN RWANDA
Inama Ngenzuramikorere; Ishingiye ku Itegeko n° 39/2001 ryo kuwa 13/09/2001 rishyiraho Ikigo cy'Igihugu gishinzwe kugenzura imikorere y'Inzego zimwe z'imirimo ifitiye igihugu akamaro; cyane cyane mu ngingo zaryo: iya	The Regulatory Board; Pursuant to the Law n° 39/2001 of 13th September 2001 establishing an Agency for the Regulation of certain Public Utilities; especially in its articles one(1), three(3), five(5) and six(6);

mbere(1), iya gatatu(3), iya gatanu(5) n'iya gatandatu(6);

Ishingiye ku myanzuro ya raporo y'uruzinduko rw'abakozi ba RURA bagiriye ku biyaga bitandukanye byo mu Gihugu hagati y'ukwezi k'Ukuboza na Mutarama;

Ishingiye kandi ku myanzuro y'inama yo ku wa 9 na 10/Nyakanga/2009 yahuje Ikigo ngenzuramikorere n'abakora umwuga wo gutwara abantu n'ibintu mu mazi yo mu Gihugu;

ITEGETSE:

Ingingo ya 1: Ibisobanuro

Muri iki cyemezo,

a) ***Ubwato bw'ubucuruzi*** *bisobanura* ubwato bwose bukora umwuga wo gutwara abantu cyangwa ibintu ku mazi hagamijwe inyungu;

b) **Umuyobozi w'ubwato** bisobanura umuntu wese utwaye ubwato ku mazi;

c) **Ubwato buto** ni ubwato bwose bushobora gutwarwa n'ingashyi.

d) **Ubwato bunini** bisobanura ubwato bwose bushobora gutwara abantu barenze mirongo ine (40) cyangwa ibintu birengeje toni eshatu (3).

Ingingo ya 2: Intego

Iki cyemezo cyerekeranye n'ibisabwa abifuza gukora umwuga wo

Basing on the recommendations of the report of RURA staff in charge of Waterways Transport on the visits they conducted in December and January 2009 to assess the situation of Waterways transport on Rwandan lakes;

Considering the resolutions of the Waterways transport stakeholders workshop held on the 9th and 10th /July/2009 between the Rwanda Utilities Regulatory Agency and the waterways transport service providers in the Country;

ORDERS:

Article 1: Definitions

In this Decision,

a) **A Commercial *boat*** means any boat used to carry people and/or goods for commercial purposes;

b) **A boat driver** means any person responsible for driving a boat;

c) **A small boat** means a boat that can be driven by oars;

d) **A big boat** means any boat with a carrying capacity of forty (40) passengers or more than three (3) tones of goods.

Article 2: Objective.

gutwara abantu cyangwa ibintu ku mazi mu Rwanda.	This Board Decision concerns the conditions to be fulfilled by the applicants for waterways transport license on Rwandan lakes.
Ingingo ya 3: Abo kireba	**Article 3: Parties Concerned**
Iki cyemezo kireba abantu ku giti cyabo cyangwa ibigo bibifitiye ubushobozi bikora cyangwa byifuza gukora umwuga wo gutwara abantu n'ibintu mu biyaga by'u Rwanda.	This Board Decision concerns individuals and/or private companies operating or wishing to operate remunerated Waterways transport of persons and goods on Rwandan lakes.
Ingingo ya 4: Ibisabwa mu gutanga uruhushya.	**Article 4: Requirements for License Issuance**
4.1. Ibisabwa uwifuza gukora mu buryo butari ubw'ikigo.	**4.1. Requirements for individual operators.**
Umuntu wifuza uruhushya rwo gutwara abantu cyangwa ibintu mu mazi agomba kugaragaza ibi bikurikira:	Every individual operator applying for a license to carry out waterways transport of persons and goods must submit the following documents:
a) Icyemezo cy'imiterere y'ubwato busabirwa uruhushya kigaragaza ko ari buzima;	a) A boat certificate of seaworthiness;
b) Ubwishingizi bw'ubwo bwato butari munsi y'amezi atandatu, kandi hakishingirwa abagenzi, Umuyobozi w'ubwato, n'ibintu bwemerewe gutwara;	b) Insurance certificate (Not less than 6 months period) for all passengers, the boat driver, and/or goods onboard;
c) Icyemezo kigaragaza nyiri bwato;	c) Boat ownership certificate;
d) Kugaragaza aho yifuza kuzakorera;	d) Operation routes;
e) Kugaragaza inyemeza bwishyu y'amafaranga yo kwiyandikisha igihumbi(1.000 frw) y'u Rwanda ku bwato buto n'ibihumbi bitanu(5.000frw) ku bwato bunini yishyurwa kuri konte N° 120.11.27 iri muri Banki Nkuru y'u Rwanda (BNR).	e) Bank slip showing payment of application fees amounting to one thousand Rwandan francs (1,000Rwf) payable on the RURA's account N° 120.11.27 in the National Bank of Rwanda

4.2: Ibisabwa Ikigo.

Ikigo cyifuza uruhushya rwo gutwara abantu cyangwa ibintu ku mazi kigomba kugaragaza ibi bikurikira:

a) Kuba gifite byibuze amato atanu (05) mato cyangwa amato atatu (03) manini;

b) Amategeko shingiro (statut) y'icyo kigo;

c) Kugaragaza igitabo cy'ubucuruzi (Registre de commerce) icyemerera gukora umwuga wo gutwara abantu n'ibintu ku mazi;

d) Kugaragaza umushinga w'ibikorwa byibuze w'imyaka itanu (5);

e) Gushyikiriza Ikigo Ngenzuramikorere raporo yerekeranye n'ubucuruzi bakora buri mwaka (Financial report/Rapport Financier) ku basanzwe bakora umwuga wo gutwara abantu n'ibintu ku mazi;

f) Kugaragaza aho icyo kigo kifuza kuzakorera;

g) Kwishyura amafaranga igihumbi(1.000 frw) y'u Rwanda kuri buri kigo gikoresha ubwato buto n'ibihumbi bitanu(5.000frw) kuri buri kigo gikoresha ubwato bunini, yishyurwa kuri konte N° 120.11.27 iri muri banki nkuru y'u Rwanda, BNR.

Ingingo ya 5: Igenzurwa ry'ubwato

(BNR);

4.2. Requirements for companies

A company applying for a license to transport persons and/or goods on Rwandan lakes must fulfill the following:

a) Ownership of at least five (5) small boats or three (3) big boats;

b) Company's by-laws (Statute);

c) Trade register indicating transport as one of the activities performed by the applicant;

d) Submission of a five (5) years business plan;

e) Submission of a financial report to RURA for those who have been in the business of waterway transportation;

f) Indicating the location of the head office of the company;

g) Payment of one thousand (1,000) francs application fees for every company with small boats and five thousand (5,000) for every company with big boats. These fees are paid on the RURA's account N° 120.11.27 at the national Bank of Rwanda (BNR).

Article 5: Boat seaworthiness inspection

Buri bwato busabirwa uburenganzira bw'imikorere bugomba kuba bwujuje ibi bikurikira: **5.1. Ubukoreshwa mu gutwara abantu.** 1) Bugomba kuba bufite inanga, 2) Bugomba kuba bufite umugozi ufite metero cumi n'eshanu (15m), 3) Kuba bufite ibikoresho byabugenewe byo gutwara lisansi, 4) Agatabo kagaragaza amakuru y'urugendo, 5) Kugira regisitiri y'abagenzi. **5.2. Amato atwara ibintu:** 1) Bugomba kuba bufite inanga, 2) Bugomba kuba bufite umugozi ufite metero cumi n'eshanu (15m), 3) Kuba bufite ibikoresho byabugenewe byo gutwara lisansi, 4) Agatabo kagaragaza amakuru y'urugendo, **5.3. Amato atwara ba mukerarugendo:** 1) Bugomba kuba bufite inanga, 2) Bugomba kuba bufite umugozi ufite metero cumi n'eshanu (15m), 3) Kuba bufite ibikoresho byabugenewe byo gutwara lisansi,	Every boat for which the application is made, must be inspected and must meet the standards enumerated here below: **5.1. Passenger Boats.** 1) Must have an anchor, 2) Must have at least a 15m chain, 3) Must have reservoirs made purposely to carry fuel, 4) Must have a log book, 5) Must have a manifesto. **5.2. Goods boats.** 1) Must have an anchor, 2) Must have at least a 15m chain, 3) Must have reservoirs made purposely to carry fuel, 4) Must have a log book, **5.3. Tourist Boats:** 1) Must have an anchor, 2) Must have at least a 15m chain,

4) Agatabo kagaragaza amakuru y'urugendo,

5) Kugira regisitiri y’abagenzi.

5.4. Amato akoreshwa siporo:

1) Bugomba kuba bufite inanga,

2) Bugomba kuba bufite umugozi ufite metero cumi n’eshanu (15m),

3) Kuba bufite ibikoresho byabugenewe byo gutwara lisansi,

4) Agatabo kagaragaza amakuru y'urugendo,

5) Kugira regisitiri y’abagenzi.

Ingingo ya 6: Ibisabwa amato y’ubucuruzi

Ubwato bwo gutwara abantu cyangwa ibintu hagamijwe inyungu bugomba kuba bwujuje ibyangombwa bikurikira:

a) Kuba bwanditse kandi bufite uruhushya rutangwa n’ Ikigo Ngenzuramikorere(RURA);

b) Kuba butwarwa na moteri cyangwa bukururwa n’ ubundi butwarwa na moteri;

c) Kuba bufite numero iburanga yatanzwe na RURA yanditswe mu nyuguti nkuru ahantu hagaragara;

d) Kuba butava;

3) Must have reservoirs made purposely to carry fuel,

4) Must have a log book,

5) Must have a manifesto

5.4. Sports Boats:

1) Must have an anchor,

2) Must have at least a 15m chain,

3) Must have reservoirs made purposely to carry fuel,

4) Must have a log book,

5) Must have a manifesto.

Article 6: Requirements for commercial boats

Any boat transporting persons and/or goods with the aim of making profits shall be required to fulfill the following:

a) Have been registered and in possession of a license issued by the Rwanda Utilities Regulatory Agency (RURA);

b) Be run on an engine or articulated to an engine ran boat, for all goods and passenger boats;

c) Have a registration number issued by RURA and which is displayed on the hull where it is easily visible. The registration number must be in block-shaped capital letters in Arial type

e) Kuba bufite ibikoresho by' ubutabazi bw' ibanze bikurikira:

- Sparadara;
- Bande;
- Ibikwasi;
- Isabune;
- Udupfukantoki (gants);
- Umukasi;
- Alukore;
- Ipamba.

f) Kuba bufite kizimyamwoto;

g) Kugira intebe zikwiriye kandi zisukuye z'abagenzi n'abakora muri ubwo bwato;

h) Kuba butwikiriye kugira ngo barindwe imvura n' izuba;

i) Guhora busukuye;

j) Buri mushoramari agomba kubahiriza ibiciro byashyizweho n'Ikigo Ngenzuramikorere;

k) Kugira telephone igendanwa k'ubwato buto cyangwa ibikoresho by'itumanaho byabugenewe byifashishwa mugihe cy'ogusaba ubutabazi.

Ingingo ya 7: Amafaranga atangwa n'abakora umwuga wo gutwara abantu n'ibintu mu mato.

font;

d) All boats must Be water tight;

e) Have a Fast Aid Kit with the following contents:

- Sterile adhesive plaster
- Bandages;
- safety pins;
- Cleansing agent/soap;
- Latex gloves (2 pairs);
- Scissors;
- Antiseptic (Alcohol);
- Cotton pads.

f) Having a fire extinguisher;

g) Have proper seats for all passengers and crew on board;

h) All passenger boats must be covered to avoid rainfall and sunshine;

i) All boats must be kept tidy;

j) Every licensed operator must comply with the tariffs set by the Regulatory Board;

k) To possess at least a mobile cell phone for small boats and VHF transceiver for big boats for emergency communications.

Article 7: Waterways Transport License and Levy Fees

7.1. **License and Levy Fees for individual operators**

a) Any individual operator awarded a license pays twenty

7.1. Amafaranga atangwa ku badakora mu buryo bw'ibigo:

a) Uwemerewe uruhushya rwo gutwara abantu cyangwa ibintu ku mazi yishyura amafaranga ibihumbi makumyabiri (20.000 frw) ku bwato buto,n'ibihumbi mirongo itanu(50.000frw) ku bwato bunini yishyurwa kuri konte N° 120.11.27 iri muri Banki Nkuru y'u Rwanda, BNR;

b) Kwishyura ku mwaka umusanzu ungana na 1% by'umubare w'ibyacurujwe ataganywa n'Iteka rya Minisitiri n° 4/D.C/04 ryo ku wa 07/06/2004, yishyurwa kuri konte N° 120.11.27 iri muri banki nkuru y'u Rwanda, BNR.

7.2. Amafaranga atangwa ku bakora mu buryo bw'ibigo:

a) Ikigo cyemerewe uruhushya rwo gutwara abantu cyangwa ibintu ku mazi cyishyura amafaranga ibihumbi makumyabiri (20.000 frw) kuri buri kigo gikoresha ubwato buto n'ibihumbi mirongo itanu(50.000frw) kuri buri kigo gikoresha ubwato bunini, yishyurwa kuri konte N° 120.11.27 iri muri Banki Nkuru y'u Rwanda, BNR;

b) Kwishyura ku mwaka umusanzu ungana na 1% by'umubare w'ibyacurujwe ataganywa n'Iteka rya Minisitiri n° 4/D.C/04 ryo ku wa 07/06/2004, yishyurwa kuri konte N° 120.11.27 iri muri Banki Nkuru y'u Rwanda, BNR.

Ingingo ya 8: Imiterere y'uruhushya ruhabwa ubwato n'igihe rumara

Uruhushya ruhabwa ubwato rumara igihe cy'umwaka rukaba

thousand (20,000) francs for each small boat and fifty thousand for each big boat. These fees are paid on the RURA's account N° 120.11.27 at the National Bank of Rwanda(BNR);

b) Annual payment of 1% of turnover as fixed by the Ministerial decree n° 4/DC/04 of 7th June 2004. Payment is made on the RURA's account N° 120.11.27 at the National Bank of Rwanda(BNR);

7.2. License and Levy Fees for companies

a) Any company awarded a license pays twenty thousand (20,000) francs for companies with small boats and fifty thousand (50,000) francs for companies with big boats. These fees are paid on the RURA's account N° 120.11.27 at the National Bank of Rwanda(BNR);

b) Annual payment of 1% of turnover as fixed by the Ministerial decree n° 4/DC/04 of 7th June 2004. Payment is made on the RURA's account N° 120.11.27 at the National Bank of Rwanda(BNR);

Article 8: License Components

The licensed issued for marine vessels lasts for a period of one year which is renewable and has the following components:

rushobora kongerwa kandi rugizwe n’ibi bikurikira:

a) Ikirangantego cya RURA;
b) Numero y’uruhushya;
c) Izina na numero y’ubwato;
d) Izina cyangwa amazina y’uhawe uruhushya naho abarizwa;
e) Uburebure n’ubugali by’ubwato;
f) Ubwoko bw’ubwato;
g) Moteri y’ubwato
h) Icyo bukora;
i) Umubare ntarengwa w’abantu cyangwa ibintu butegetswe gutwara;
j) Aho ubwato bukorera;
k) Numero y’icyemezo cy’imiterere y’ubwato gitangwa na RURA;
l) Igihe uruhushya rutangiwe n’igihe ruzamara;
m) Numero y’inyemeza bwishyu;
n) Umukono w’Umuyobozi Mukuru wa RURA.

Ingingo ya 9: Ibisabwa mu gupakira amato hagamijwe umutekano w’abantu n’ibintu

a) Buri bwato bugomba kugira ubwishingizi bw’abantu bose babugenderamo;
b) Umuyobozi w’ubwato ntagomba kurenza umubare w’abantu cyangwa imizigo byemewe gutwara nk’ uko byagenwe n’ Ikigo Ngenzuramikorere (RURA);
c) Birabujijwe gutwara abagenzi n’imizigo mu bwato bumwe. Iyo mizigo ni ishobora gukomeretsa abantu cyangwa

a) RURA coat of arms;
b) License number;
c) Name and boat registration number;
d) Owner’s name
e) Boat length and width;
f) Type of boat;
g) Engine number;
h) Usage;
i) Tonnage;
j) Areas of operation;
k) RURA Seaworthiness certificate number;
l) Issuance and expiry dates;
m) Bank slip number;
n) RURA’s Director General signature;

Article 9: Boat Loading and Safety Requirements.

a) All boats must be insured for all the persons on board;
b) Boat drivers must not load the boats with passengers or goods exceeding the loading capacity as determined by the Rwanda Utilities regulatory Agency for that particular boat;
c) At no time shall passengers be mixed with goods. These include dangerous goods that can cause damages to passengers or exceeding 10kg for each passenger.
d) All persons on board of a boat must have life jackets;

irengeje ibiro 10 kuri buri mugenzi.

d) Abantu bose bari mu bwato bagomba kuba bambaye imyenda ituma batibira mu mazi mu gihe ubwato burohamye (life jackets);

e) Birabujijwe gutwara mu bwato butwara abagenzi cyangwa kuri bwo ikintu icyo aricyo cyose cyabangamira ubuzima n'umutekano by' ababurimo;

f) Nta bwato bwemerewe gutwara amatungo butabiherewe uruhushya rwihariye n' Ikigo Ngenzuramikorere (RURA).

Ingingo ya 10: Gufata neza ibyambu

a) Ibyambu byose bigomba guhora bisukuye: babikubura hakanatoragurwa imyanda yose;

b) Ibyambu byose bigomba kuba bifite ubwiherero bwabategereje kwambuka hamwe n'abakozi b'ubwato;

c) Ibyambu byose bigomba kuba bifite ubwugamo bw'izuba ndetse n'imvura bw'abategereje kwambuka hamwe n'abakozi b'ubwato;

d) Ibiciro byo kwambutswa bigomba kuba bimanitse ku cyambu aho buri mugenzi abibona;

e) Kucyambu hagomba kuba hari umunzani wabigenewe wo gupima ibintu mbereyuko bipakirwa mu bwato.

Ingingo ya 11: Kumenyekanisha Impanuka

e) The driver of a passenger boat must not permit any person to place or carry in or on the boat any article that is of such size or has such dimensions that it cannot be accommodated in or on the boat without inconvenience or causing danger to any other person;

f) Boats not to carry animals without an authorization from RURA to carry such animals.

Article 10: Landing Site Management

a) All landing sites must be kept clean by sweeping and picking refuse from the vicinity;

b) All landing sites to have a rest room (latrine) for the passengers and crew;

c) All landing sites to have a shade for passengers and crew;

d) Travel tariffs to be displayed on the notes board at the landing sites;

e) All landing sites to have a weigh balance to weigh all goods before they are loaded onto the boats;

Article 11: Accident Reporting

In the aftermath of a boat accident, the boat driver should inform the nearby security authorities and RURA by telephone before filling the

Umuyobozi w'ubwato ugize impanuka agomba guhita abimenyesha abashinzwe umutekano na RURA kuri telephone hanyuma akuzuza ifishi y'imenyekanisha mpanuka;

Ingingo 12: Igenzurwa

a) Umuyobozi w'ubwato agomba kwemerera abakozi ba RURA babifitiye ububasha kugenzura niba ubwato bwujuje ibyangombwa bisabwa namategeko. Ategetswe kwerekana ikarita y'umuyobozi w'ubwato n'ibyangombwa by'ubwato kugirango bigenzurwe.

Ingingo ya 13: Ibihano

Buri muntu, cyangwa ikigo gikora umwuga wo gutwara abantu n'ibintu mu bwato barishye kigomba kubahiriza ibikubiye muri aya mabwiriza.

Ukutubabiriza aya mabwiriza bihanishwa :

a) Ihazabu iri hagati y'amafaranga 20.000 Frw kugera kuri 1.000.000 Frw yishyurwa kuri konti y'Ikigo Ngenzura Mikorere iri muri Banki Nkuru yu Rwanda(**B.N.R) n° 120.11.27**;

b) Kwamburwa uruhushya rwo gukora mu gihe cy'amezi atatu

c) Kwamburwa uruhushya rwo gukora burundu.

Accident Report Form and give it to RURA.

Article 12: Inspection

a) The driver of a boat must, at the request of an authorized RURA officer, accept the inspection of the boat to find out whether the boat fulfills all the requirements. He must hand his or her driver's card and other boat documents to the authorized RURA officer for inspection.

Article 13: Penalties

Every operator, be it an individual or a company, must abide by the provisions of these guidelines.

Failure to comply with these guidelines, will lead to the penalties here below:

a) Fine ranging from 20.000 to 1.000.000Rwf payable on RURA's account **n° 120.11.27** in the National Bank of Rwanda;

b) Withdrawal revocation of the license for a period of three (3) months;

c) Total expulsion from the sector.

Article 14: Appeal.
The driver of a boat must in 10 days maximum, in accordance with this

Ingingo 14: Kujurira Umuyobozi w'ubwato cyangwa nyirubwato utemera amakosa aregwa ategetswe kubimenyesha munyandiko Umuyobozi mukuru wa RURA mugihe kitarenze iminsi 10 uhereye itariki yamenyesherejweho ayo makosa. Iyo nyandiko igaragaza ibi bikurikira: a) Amakosa yose aregwa atemera; b) Impamvu n'ibimenyetso bituma atemera amakosa aregwa; c) Ibihano byose yahanishijwe kubera amakosa atemera; d) Kugaragaza ikifuzo cye. **Ingingo ya 15: Ishyirwa mu bikorwa** Aya mabwiriza atangira gushirwa mu bikorwa umunsi yashyiriweho umukono. Ibihano biteganywa muri aya mabwiriza ntibisimbura cyangwa ngo bikureho ibihano biteganywa n'itegeko. **Ingingo ya 16: Ivanwaho** Ingingo z'amabwiriza zibanziriza aya kandi zinyuranye nayo zivanyweho	clause, furnish the Director-General of RURA with written details of the following: a) Any alleged offences with which the driver is charged by an authorized officer regarding the boat's seaworthiness; b) Reasons and exhibits to why he he/she does not recognize the alleged offence(s); c) Any penalty notices issued to the driver in respect of any alleged offence(s) that relates to the driving of a boat; d) Expression of his/her wishes. **Article 15: Enforcement** These rules shall be enforced from the day of their signature. The sanction provided for in these rules shall not replace the existing laws. **Article 16: Repealing** All articles and other prior rules contrary to these provisions are hereby repealed.

Bikorewe i Kigali ku wa 11/11/2009

MUKASINE Marie Claire

CHAIRPERSON