REPUBLIC OF RWANDA

RWANDA UTILITIES REGULATORY AGENCY

P.O BOX 7289 KIGALI, Tel: +250 252 584562, Fax: +250 252 584563

Email: arms@rwanda1.com

Website: www.rura.gov.rw

AMABWIRIZA AGENGA IMYITWARIRE Y'ABATWARA AMATO BATWARA ABANTU N'IBINTU MU IFASI YA REPUBULIKA YU RWANDA	**CODE OF CONDUCT FOR BOAT DRIVERS OF PUBLIC PASSENGER and CARGO BOATS IN THE REPUBLIC OF RWANDA**
Inama Ngenzuramikorere mu nama yayo yo kuwa 11 Ugushyingo, 2009 Ishingiye ku Itegeko **n° 39/2001 ryo ku wa 13/09/2001** rishyiraho Ikigo cy'Igihugu gishinzwe kugenzura imikorere y'Inzego zimwe z'imirimo ifitiye igihugu akamaro (RURA); Ishingiye ku Itegeko rimaze kuvugwa hejuru mu ingingo yaryo ya mbere mu gace ka F iha ububasha Ikigo Ngenzuramikorere bwo kugenzura itwara ry' abantu n'ibintu;	The Regulatory Board in its session meeting of November 11, 2009 Given the **law n° 39/2001 of September 13/09/200**1 establishing an agency for the regulation of certain public utilities (RURA). Given the same law especially in its article 1(F) giving to Rwanda Utilities Regulatory Agency the mandate to regulate the transport of persons and goods;

Ishingiye ku Itegeko rishyiraho RURA cyane cyane mu Ingingo yaryo ya 6, agace ka 3 gaha ububasha Ikigo Ngenzuramikorere bwo guca ihazabu igihe habayeho kwica amategeko agenga imikorere y'inzego zimwe z'imirimo ifitiye Igihugu akamaro.

ITEGETSE

Ingingo ya 1: Ibisosobanuro

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.

Ingingo ya 2: Imyambaro n'Imyitwarire y'abakora umwuga wo gutwara abantu

Umuyobozi w'ubwato ategetswe:

a) Kuba afite isuku, yambaye imyenda ifuze n'inkweto zifite isuku igihe cyose atwaye ubwato;

b) Kugira imyitwarire myiza n'ikinyabupfura no kubaha abagenzi, abayobozi b'ayandi mato, cyangwa abayobozi b'inzego zinyuranye za Leta;

c) Kutanywera itabi cyangwa ibisa naryo mu bwato bwaba butwaye abagenzi cyangwa butabatwaye;

d) Kutarira cyangwa kutanywera mu bwato bugenda cyangwa

Given the law establishing Rwanda Utilities Regulatory Agency especially in its article 6(3) giving RURA the power to impose sanctions in case of breach of the law relating to the regulation of certain public utilities.

ORDERS

Article 1: Definition

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.

Article 2: Dress and conduct of Drivers

A boat driver must:

a) Be clean, wear tidy clothes including clean shoes at all times he/she is delivering boat driving services;

b) Behave in an orderly manner and with civility and propriety towards any passenger, intending passenger, driver of another boat or authorized officer;

c) Not smoke any kind of tobacco while in the boat, whether the boat is being driven for the purpose of providing a public passenger service or not;

bwitegura kugenda;

e) Ntawushobora guhanwa kubera kurya cyangwa kunywa bitewe n'impamvu z'uburwayi zasuzumwe kandi zikemezwa na Muganga wemewe na Leta

f) Kutavugira kuri telefone mu gihe utwaye ubwato, keretse mugihe utabaza habaye impanuka.

Ingingo ya 3: Kudatwara ubwato butujuje ibyangombwa biburanga

Umuyobozi w'ubwato ntiyemerewe kubutwara iyo:

a) Itariki cyangwa igihe ibyangombwa bisabwa ubwato byarenze cyangwa se iyo;
b) Umuyobozi w'ubwato azi neza ko ibyangombwa bisabwa ubwato binyuranyije n'amategeko cyangwa bidahari.

Ingingo ya 4: Kutangiza ibigize Ubwato

Umuyobozi w'ubwato ntiyemerewe:

a) Ntampamvu zifatika guhindura igice cyangwa ibice bigize ubwato;

b) Kwangiza abigendereye ubwato cyangwa ibice bibugize.

Ingingo ya 5: Gutwarana ubwato ubwitonzi

Umuyobozi w'ubwato bw'abagenzi ntashobora:

a) Gutwara ubwato igihe cyose abagenzi bataricara neza kandi bambaye imyenda ituma batibira mu gihe cy'impanuka (life

d) Not eat or drinking in a boat whether hired or available for hire, or is otherwise in use or to be used as a public passenger boat or for carrying goods;
e) Nothing in this clause prohibits a driver of a passenger boat from eating or drinking in the vehicle for medical reasons.

f) Not dial or answer any telephone call while the boat is being driven for the purpose of providing a public passenger service or not, except for rescue purposes during emergency situations.

Article 3: Not drive a non-compliant boat

The driver of boat must not drive the boat if:

a) The expiry date or expiry time of the boat documents have passed, or
b) The driver is aware that the boat documents are not genuine.

Article 4: Not to interfere with equipment of, or damage, a boat

The driver of a boat is not allowed:

a) without reasonable excuse, to interfere with any equipment attached to, or forming part of, the boat; or
b) Willfully damage any part of the boat.

Article 5: Careful boat driving

The driver of a boat must not:

a) Drive the boat when the passengers have not yet seated and

jackets);

b) Guhaguruka, gutwara, cyangwa gushaka guhaguruka cyagwa gushaka gutwara ubwato bigaragara ko hari umugenzi ushobora kugira impanuka cyangwa se gukomereka.

Ingingo ya 6: Gutwara abantu n'inyamaswa

a) Umuyobozi w'ubwato bw' abagenzi ategetswe kutemerera umuntu wese gushyira cyangwa gutwara mu bwato ndetse no ku bwato imbwa, injangwe, inuma cyangwa n'indi nyamaswa iyo ari yo yose igihe cyose bidafungiye neza mu kintu gitunganye kandi cyabugenewe;

b) Ibivugwa muri iyi ngingo ntibireba inyamaswa iri mu butabazi cyanwa yagenewe amahugurwa.

Ingingo ya 7: Ibintu byatakaye bigashyikirizwa umuyobozi w'ubwato

Umuyobozi w'ubwato butwara abagenzi washyikirijwe ibintu byatakaye cyangwa wabibonye hisunzwe aya mabwiriza, ategetswe mu gihe kitarenze amasaha 24 uhereye igihe yabiherewe cyangwa yabiboneye :

a) Guha ibintu nyirabyo cyangwa bigashyikirizwa icyicaro gikuro cy'umuntu cyangwa ikigo akorera;

b) Gushyikiriza ibintu byatakaye umupolisi kuri sitasiyo ya polisi imwegereye

Ingingo ya 8: Amahugurwa agenerwa abayobozi b'ubwato

Umuntu wifuza gutwara ubwato mbere yuko akora uwo mwuga ategestwe kubanza guhabwa amahugurwa yabugenewe n'inzego zabiherewe ububasha n'itegeko.

have all put on the protective gears (life jackets);

b) Negligently or willfully move or drive or cause the boat to be moved or driven so that any person is subjected to the risk of injury.

Article 6: Carriage of goods and animals

a) The driver of a passenger boat must not permit any person to place or carry in or on the boat a dog, cat, bird or other animal unless it is suitably confined in a box, basket or other genuine container.

b) This clause does not apply to an assistance animal or an assistance animal in training.

Article 7: Lost property given to boat drivers

A driver of a passenger boat who has been given lost property under this Regulation or who finds such property must, within 24 hours after being given or finding the property:

a) Give the property to the owner of the property or to the head quarter of the company; or

b) Give the property to a police officer at the nearby police station.

Aricle 8: Training of drivers of boats

Any person wishing to be a driver of a boat must first undergo a

Nyuma yayo mahugurwa,iyo ayatsinze ahabwa ikarita imwemerera gutwara ubwato

Aya mahugurwa ari mu byiciro bibiri (2):

a) Amahugurwa agenerwa abifuza gukora umwuga wo gutwara abagenzi ku mazi

b) Amahugurwa abagenerwa na none agamije kubibutsa umwuga bakora

Ingingo ya 9: Inyandiko isaba ikarita yo gutwara ubwato

1.Umuyobozi w'ubwato kugirango ahabwe ikarita ibimwemerera, usibye amahugurwa atangwa kandi akanayoborwa n'inzego zabiherewe ububasha n'itegeko.

aba yarakoze yabugenewe agomba kwandikira Umuyobozi Mukuru wa RURA, urwandiko ruherekejwe n'ibi bikurikira:

a) Amafoto abiri magufi ya nyirubwite,

b) Icyemezo cya Muganga wemewe na Leta

c) Kitansi y'ibihumbi bitanu (5.000 frw) yishyuriyeho kuri konti N°120.11.27 y'Ikigo Ngenzuramikorere iri muri Banki Nkuru y'Igihugu (BNR**).**

2. Iyo karita irangwa n'ibi bikurikira:

a) Amazina ya nyirayo ;

b) Ifoto yanyirayo;

c) Numero yayo;

training course conducted by competent organs.

After the training, if he/she succeeds, he/she must receive a boat driver's card.

This training falls in 2 categories:

a) Boat Driving training course,

b) Boat drivers refresher course,

Article 9: Application for a Boat Driver's Card

1. In order to obtain a boat driver's card, apart from completing the mandatory conducted by competent organs training course, a boat driver must write an official letter to the Director General of RURA attached with the following documents:

(a) Two passport photograph of the applicant;

(b) A Medical certificate

(c) A bank slip of payment of 5.000 frw which is paid to RURA account N° 120.11.27 at the National Bank of Rwanda (BNR).

2. The following elements are mentioned on the Boat driver's card:

a) The names of the owner;

b) His/her photograph;

d) Itariki itangiweho n'iyo izarangiriraho;

e) Umukono w'Umuyobozi Mukuru wa RURA.

Ingingo ya 10: Iyongerwa n'ihagarikwa by'uruhushya

Umuyobozi Mukuru w'Ikigo Ngenzuramikorere (RURA) ashobora:

a) Kwemeza (mu buryo bwa rusange cyangwa bwihariye ku kibazo runaka) ko ikarita zihabwa abayobozi b'amato zigomba kongererwa igihe;

b) Guhagarika Uruhushya rwahawe umubozi utwara ubwato iyo atacyujuje cyangwa ngo yubahirize ibisabwa,

Ingingo ya 11: Igenzurwa

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

Ingingo ya 12: 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 :

1. Ihazabu yishyurwa kuri konte N° 120.11.27 iri muri Banki nkuru y'u Rwanda (BNR) mu buryo bukurikira ;

   a. Ikinyabupfura gike n'umwanda bihanishwa kuva ku mafaranga 10,000 Frw kugera kuri 20,000 Frw

c) The boat driver's card number;

d) Issuance and expiry dates;

e) The signature of the Director General of RURA.

Article 10: Renewal and Suspension of the Driver's Card

The Director-General of RURA may:

a) Determine (either generally or in a particular case) that the boat driver's card(s) will be renewed;
b) Suspend a boat driver's card if the boat driver no longer fulfills the requirements.

Article 11: Inspection

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 12: Penalties

All boat drivers must abide by the provisions of this Board Decision.

Failure to comply with this Board decision, will lead to the penalties here below:

1. A fine payable on RURA's account **n° 120.11.27** in the

b. Gutwara ubwato butujuje ibyangombwa bihanishwa kuwa ku mafaranga 20,000 Frw kugera kuri 50,000 Frw

c. Gutwarana uburangare cyangwa gukora ikosa ryatuma umugenzi ashobora gukomereka 50,000 Frw-100,000 Frw

d. Gutwara nta karita yo gukora umwuga wo gutwara abantu itangwa na RURA bihanishwa kuva ku mafaranga 10,000 Frw-20,000 Frw

e. Kwanga ko ubwato bugenzurwa 100,000 Frw-300,000 Frw

2. Kwamburwa uruhushya rwo gukora mu gihe cy'amezi atatu

3. Kwamburwa uruhushya rwo gukora burundu.

Ingingo 12: Kujurira

Umuyobozi w'ubwato cyangwa nyir'ubwato utemera amakosa aregwa hakurikijwe iki cyemezo ategetswe kubimenyesha mu nyandiko Umuyobozi Mukuru wa RURA mu gihe kitarenze iminsi 7 uhereye itariki yamenyesherejweho ayo makosa. Iyo nyandiko igaragaza ibi bikurikira:

a) Amakosa yose aregwa
b) Amakosa aregwa atemera;

c) Impamvu n'ibimenyetso bituma atemera amakosa aregwa;

d) Ibihano byose yahanishijwe kubera amakosa atemera;

e) Kugaragaza ikifuzo cye.

National Bank of Rwanda(BNR) as follows;

a. Misconduct and lack of cleanness is punishable of a fine of Rwf 10,000 to Rwf 20,000

b. To drive without the compliance label of with unlawful compliance labor is punishable of a fine of Rwf 20,000 to Rwf 50,000

c. To negligently or willfully commit any fault that may cause injury is punishable of a fine of 50,000 Frw-100,000 Frw

d. To drive without an authorization card issued by RURA is punishable of a fine of Rwf 10,000 to Rwf 20,000

e. To refuse the checking of boat by competent organs is punishable by a fine of 100,000 to 300,000 Rwf

2. Withdrawal of the license for a period of three (3) months;

3. Total expulsion from the sector.

Article 12: Appeal

The driver of a boat or the owner of the boat who refutes the offences alleged against him must in 7 days maximum, in accordance with this Board Decision, furnish the Director-General of RURA with written details of the following:

a) All alleged offences

b) The refuted offences

c) Reasons and exhibits to why he/she does not recognize the

Ingingo ya 13: Ishyirwa mu bikorwa Aya mabwiriza atangira gushirwa mu bikorwa umunsi yashyiriwe ho umukono **Ingingo ya 14: Ivanwaho** Ingingo z'amabwiriza zibanziriza aya kandi zinyuranye nayo zivanyweho. **Bikorewe i Kigali ku wa 11/11/2009** **Sé** **MUKASINE Marie Claire** **CHAIRPERSON**	alleged offence(s); d) Any penalty notices issued to the driver in respect of any alleged offence(s) that relates to the driving of a boat; e) Expression of his/her wishes. **Article 13: Enforcement** These rules shall be enforced from the day of their signature. **Article 14: Repealing** All articles and other prior rules contrary to these provisions are hereby repealed. **Done at Kigali, on 11/11/2009.** **Signed** **MUKASINE Marie Claire** **Chairperson – Regulatory Board**