



## KANUNI ZA UBORA WA HUDUMA ZA MAJI NA USAFI WA MAZINGIRA (UBORA WA HUDUMA NA LESENI) ZA MWAKA 2020; TANGAZO LA SERIKALI Na. 849

### Viwango vya ubora wa huduma pamoja na gharama za fidia kwa kushindwa kufikia viwango vilivyowekwa

Kanuni ya 34(3) inazitaka Mamlaka za maji zilizopewa leseni kufikia viwango vya kutoa huduma na kwamba kushindwa kufikia viwango vya ubora wa huduma zitawajibika kuli-pa fidia kwa waathirika kama inavyoonekana kwenye jedwali:

Lengo	Maelezo	Viwango Vya Ubora Vilivyowekwa	Fidia Kwa Kushindwa Kufikia Viwango Vilivyowekwa
Upatikanaji wa huduma	Kuunganishwa maji safi na mfumo wa maji taka	Ndani ya siku 7 za kazi kuanzia pale malipo yalipofanyika	Mtoa huduma atamlipa mteja TZS 15,000.00 fidia ya msingi, na TZS 5,000.00 kwa kila siku inayoongezeka bila kupewa huduma
Mita ya maji	Kukarabati au kubadilisha mita iliyo haribika	Ndani ya siku 15 za kazi mita iliyoharibika inapaswa kuwa imekarabatiwa au kubadilishwa tokea kutolewa kwa taarifa	Mtoa huduma atamlipa mteja TZS 15,000.00 fidia ya msingi, na TZS 5,000.00 kwa kila siku inayoongezeka bila kupewa huduma
Usojaji wa mita ya maji	Usojaji wa mita ya maji	Mita ya maji itasomwa angalau mara moja kila mwezi	Mtoa huduma atamlipa mteja TZS 15,000.00 fidia ya msingi, na TZS 5,000.00 kwa kila siku inayoongezeka bila tatizo kutatuliwa
Ukataji wa Maji	Kukatiwa maji kimakosa	Ndani ya masaa 24 huduma kurejeshwa baada ya taarifa kutolewa	Mtoa huduma atamlipa mteja TZS 100,000.00 fidia ya msingi, na TZS 5,000.00 kwa kila siku inayoongezeka bila kupewa huduma
Kurudishiwa huduma	Kurudishiwa kwa huduma baada ya kulipa deni lilikuwa linadaiwa.	Ndani ya masaa 24 baada ya deni kuwa limelipwa au kuwepo kwa makubaliano	Mtoa huduma atamlipa mteja TZS 30,000.00 fidia ya msingi, na TZS 5,000.00 kwa kila siku inayoongezeka bila kupewa huduma
Malalamiko	Kushughulikia malalamiko	Siku 5 za kazi kutokea kupokelewa kwa malalamiko hayo.	Mtoa huduma atamlipa mteja TZS 30,000.00 fidia ya msingi, na TZS 5,000.00 kwa kila siku inayoongezeka bila kupewa huduma
Afya na usalama	Utiririshaji wa majitaka ndani ya jengo la mteja	Majitaka kutoka katika mfumo wa majitaka, uliowekwa na mamlaka ya maji hayapaswi kuingia katika jengo la mteja	Mtoa huduma atamlipa mteja TZS 50,000.00 fidia ya msingi, na TZS 20,000.00 kwa kila siku inayoongezeka bila tatizo kutatuliwa
Afya na Usalama	Utiririshaji wa maji taka (utiririshaji nje)	Majitaka kutoka katika mfumo wa majitaka, uliowekwa na mamlaka ya maji hayapaswi kuingia katika ardhi au mali za mteja	Mtoa huduma atamlipa mteja TZS 30,000.00 fidia ya msingi, na TZS 20,000.00 kwa kila siku inayoongezeka bila tatizo kutatuliwa

#### 1. Maombi ya Huduma

Kanuni ya 37(1) inaeleza kwamba mteja atatuma maombi kwa mtoa huduma kwa ajili ya kuunganishwa na huduma kwa mujibu wa sheria. Fomu za maombi ya kuunganishwa na huduma zitatolewa pasipo malipo yoyote kama inavyoelezwa katika Jedwali la Nne la Kanuni hizi.

#### 2. Gharama za Upimaji "Survey"

Jedwali la Nne katika Kanuni hizi linaeleza kuwa baada ya mteja kujaza na kuwasilisha fomu ya maombi kwa mtoa huduma, mtoa huduma atachunguza makazi ya mteja ili kubaini gharama za kufanya maunganisho ya huduma kwa mteja huyo. Gharama zote za uchunguzi zitakuwa ni juu ya mtoa huduma.

#### 3. Faini kwa kusomewa vibaya bili

Kwa mujibu wa Kanuni ya 35 mteja aliyekwazwa na kusomewa bili vibaya anatakiwa kulalamikia suala hilo EWURA kwa ajili ya utatuzi.

#### 4. Umiliki wa laini ya huduma

Kanuni ya 38 inaelezea kuwa Njia ya kupeleka huduma "Service line" inabaki kuwa mali ya mteja lakini chini ya uangalizi wa mtoa huduma na itakarabatiwa na mtoa huduma kwa gharama zake; isipokuwa kama mteja ameomba mwenyewe kuhamishwa kwa bomba au kama uharibifu umefanywa na mteja (39)(1) (a & c).

#### 5. Usalama wa Mita

Kanuni ya 39(1)(e) inaelekeza kuwa mtoa huduma atawajibika kutunza usalama wa dira (mita) ya kupimia maji aliyofunga kwa mteja. Wajibu wa mteja

kwenye suala hili ni kutoa taarifa kwa mtoa huduma juu ya uharibifu wowote utakaojitokeza, Kanuni ya (39)(2)(a & b).

#### 6. Usojaji wa mita na Ukadiriaji wa kiwango cha maji yaliyotumika

Kanuni ya 42(1) inaitaka Mamlaka kusoma mita ili kujua kiasi cha maji kilichotumika. Kwa mujibu wa Kanuni ya 42(2) Mamlaka itakadiria matumizi ya maji kwa mteja endapo mita hiyo itakuwa imesimama au kuharibika, na kwamba ukadiriaji huo utazingatia wastani wa matumizi ya miezi mitatu ya hivi karibuni inayofuatana. Baada ya miezi mitatu mteja anaweza kuhoji au kulalamikia bili ya kukadiriwa itakayoletwa na mtoa huduma.

#### 7. Ukaguzi na upimaji wa mita

Kanuni ya 44(1) ukaguzi na upimaji wa mita ya mteja utafanyika na kushuhudiwa na mteja au mwakilishi wake. Mita iliyofanyiwa ukaguzi inatakiwa kufungwa lakiri (seal) na lakiri hiyo isiondolewe wala kuvunjwa bila kushirikishwa kwa mteja au mwakilishi wake, Kanuni ya 44(2)

#### 8. Utaratibu wa ulipaji wa bili

Kwa mujibu wa Kanuni ya 51(1) mteja atatakiwa kulipa bili yake ndani ya siku 30 kutokea pale alipopokea bili yake, na kama hatakuwa na uwezo katika kipindi hicho, Kanuni ya 51(2) inampa fursa ya kufanya mazungunzo ya namna atakavyoilipa bili hiyo. Katika kipindi hicho, ataendelea kupata huduma. Kwa mujibu wa Kanuni 51(3) mtoa huduma anaweza kusitisha wakati wowote huduma ya maji endapo siku thelathini zitakwisha bila ya bili kulipwa na kama



hakutakuwepo kwa mawasiliano yeyote kati ya mteja na mtoa huduma.

#### 9. Ukomo wa kufanya malipo ya bili

Kanuni ya 52(1) inamruhusu mtoa huduma kutoa ofa ya utaratibu wa namna ya kulipa deni pamoja na bili za mteja kwa kipindi kisichozidi miezi sita na kama mteja atashindwa kuendelea kulipa kwa utaratibu uliowekwa, mtoa huduma anaweza kusitisha huduma wakati wowote.

#### 10. Kukatiwa huduma kimakosa

Kwa mujibu wa Kanuni ya 57(1) endapo mtoa huduma atamsitishia mteja huduma kimakosa atatakiwa kumlipa fidia. Mteja akikatiwa huduma kimakosa atakuwa na haki ya kulipwa fidia. Fidha hii inaweza kuwa ni malipo ya fedha taslimu au inaweza kuwekwa kwenye akaunti ya mteja, Kanuni ya 53 (1).

#### 11. Kizuizi cha kusitisha huduma

Kanuni ya 57(1) Mamlaka ya Majisafi na Usafi wa Mazingira haitakiwi kusitisha huduma ya maji kukiwa na mazingira yafuatayo kwa mujibu wa vifungu vifuatavyo vya Kanuni hizi, kanuni ya 57(3) (c), (d) & (e) kama notisi ya siku 30 haijatolewa, na kwa mujibu wa Kanuni ya 57(5) bili inasimama kama notisi ya siku 30.

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## THE WATER SUPPLY AND SANITATION SERVICE (LICENSING AND QUALITY OF SERVICE), RULES 2020 GN No. 849

### Quality of service targets and compensations for the failure to meet

Rule No 34 (3) states that, a licensee who fails to meet the quality-of-service targets, shall be liable to pay compensation to the affected person as prescribed in the following schedule: -

Focus	Description	Quality of Service Target	Basic compensations and compensations for additional delays
Access	Connecting to water supply and sewerage	Maximum time of 7 working days after a customer has made full payments of connection cost.	TZS. 15,000.00 as basic compensation and TZS 5,000.00 per day for additional delays
Water Meter	Repair or replacement of fault meter	Maximum time of 15 working days to repair or replace a meter after being detected or being informed of its defects	TZS. 15,000.00 as basic compensation and TZS 5,000.00 per day for additional delays
Meter Reading	Meter reading	Meter reading is done at least once every month	TZS 15,000.00 as basic compensation TZS 5,000.00 per day for additional delays.
Water disconnection	wrongful disconnection	A maximum of 24 hours to restore water wrongly disconnected after knowledge of being reported of the wrongful disconnection.	TZS. 100,000.00 as basic compensation TZS 5,000.00 per day for additional delays.
Reconnection	Reconnection after payment of overdue amount.	Maximum of 24 hours after debt settlements	TZS 30,000.00 as basic compensation TZS 5,000.00 per day for additional delays.
Complaints	Response to complaints	Maximum time of 5 working days from the date of receipt of complaint to complete investigation and respond	TZS 30,000.00 as basic compensation and TZS 5,000.00 per day for additional delays
Health and Safety	Flooding from sewers internal flooding	No sewage from a sewerage system, that is vested in a water authority should enter the customer's building	TZS 50,000.00 as basic compensation and TZS 20,000.00 per day for additional delays
Health and Safety	Flooding from sewers external flooding	No sewage from a sewerage system, that is vested in a water authority should enter the customer's land or property	TZS 30,000.00 as basic compensation and TZS 20,000.00 per day for additional delays

#### 1. Application for Service

Rule No 37 (1) states that a customer shall apply to the licensee for service in accordance with the provisions of the Act. The customer shall fill in the application form available from the licensee's office free of charge (see Fourth Schedule of these Rules) under "Application" (a).

#### 2. Surveying cost

The Fourth Schedule of these Rules states that after filling the form, the licensee will survey the customer's property in order to identify the appropriate water connection point on the distribution system, the distance to the customer's property, design the service line and prepare drawings ready for bill of quantities. **The cost of the survey and design shall be fully borne by the licensee.**

#### 3. Compensation for incorrect readings

Rule No.35, states that in the event a customer is aggrieved by the amount payable by a licensee; such customer may lodge his complaint to the Authority (EWURA) for determination.

#### 4. Ownership and Maintenance of the Service line

According to Rule 38, the service line remains the property of a customer but under the control of a licensee and shall except as otherwise indicated under these rules be maintained by the licensee at its expense, except rule 39 at the customer's request or due to damage caused by the said customer.

#### 5. Meter reading and safety

According to Rule 39(1), (e), a licensee shall be responsible for the safekeeping of meters that have

been installed in the service line, while Rule 39(2), (a&b) requires the customer to timely report any damage, malfunction or vandalism of the meter. Rule 42(1) requires a licensee to read the customer's meter in order to determine the amount of water consumed.

#### 6. Estimation of the volume of water consumed

On estimation of the volume of water consumed, Rule 42(2) states that where a meter is out of service or malfunctioning, the amount of water consumed will be determined using the water consumption average of the three preceding months. After three months, the customer can challenge or complain about the estimated bill presented to him by the service provider.

#### 7. Meter inspections and testing

According to Rule 44(1), meter inspections and testing, excise should be witnessed by a customer or his representative. A seal affixed to an inspected and tested meter shall not be broken or removed unless witnessed by the customer or representative, Rules 44 (2).

#### 8. Payment arrangements

According to Rule 51(1), a customer shall pay any bill issued by a licensee not later than thirty days (30) after receipt of the said bill. If the customer feels unable to pay his bill, he may contact a licensee in advance of the due date and negotiate terms for settling the outstanding balance while retaining service, Rule No. 51(2)

Rule No. 51 (3) a licensee may, in the event of an unsettled bill after the expiration of 30 days from the date of receipt of the said bill; disconnect water supply service from the premises of a customer who has not paid the bill. Where the customer has failed to pay the outstanding debt within sixty days, from the



date of receipt of the bill, the licensee may institute legal action in a competent court to recover the debt, Rule 51(4).

#### 9. Limit on payment plan

Rule 52(1) a licensee may offer a customer a payment plan, which reflects the customer's ability to pay and which shall be implemented for a period of time not exceeding six months. A customer shall, at all times during the payment plan period, pay all current bills and balances, failure of which may result in immediate disconnection

#### 10. Wrongful disconnection

Rule 58(1) states that where a licensee wrongly or unjustifiably disconnects a customer from the service, the licensee shall be liable to reconnect the customer together with payment of compensation"

#### 11. Restriction of disconnection

Rule 57(1) a licensee shall not disconnect service from any customer save as it is provided for under these rules. A licensee shall not carry out any disconnection on Friday after mid-day, Saturday and Sundays, or during public holidays (Rule 57(3) (c), (d) & (e)), the licensee shall not carry out any disconnection unless a notice of 30 days has been issued. According to rule 57(5), the bill issued shall serve all the purposes as if it were a notice referred to under Sub-Rule (4).

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