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THE ELECTRONIC AND POSTAL COMMUNICATIONS ACT,
(CAP. 306)

RULES

(Made under section 57)

THE ELECTRONIC AND POSTAL COMMUNICATIONS (DISPOSAL OF UNDELIVERABLE
POSTAL ARTICLES) RULES, 2025

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PART I
PRELIMINARY PROVISIONS

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|----------------|--|
| Citation | 1. These Rules may be cited as the Electronic and Postal Communications (Disposal of Undeliverable Postal Articles) Rules, 2025. |
| Application | 2. These Rules shall apply to postal and courier services. |
| Interpretation | 3. In these Rules, unless the context otherwise requires- |
| Cap 306 | “Act” means the Electronic and Postal Communications Act; |
| Cap 172 | “Authority” means the Tanzania Communications Regulatory Authority established under the Tanzania Communications Regulatory Authority Act; |
| | “courier service” means specialized services for speed collection, conveyance and delivery of postal articles other than a letter; |
| | “Expedited Mails Service (EMS)” means a service of conveying and distributing postal articles quickly and safely inside and outside the country; |
| | “perishable postal article” means a postal article that contains items that are subject to deterioration, spoilage or decay over time or under certain environmental conditions; |

- “priority mail” means mail designated for expedited delivery and may include forwarding, return service or enhanced security measures.;
- “postal article” means a material good, with or without commercial value, that complies with the postal requirements established under the Act and its regulations, and is delivered through a physical network to a specified address or to a recipient at a specified address;
- “postal licensee” means any person licensed under the Act to provide postal services;
- “postal service” means conventional postal, hybrid postal and courier services;
- “relevant stakeholders” means licensees, consumers or industry groups interested in or affected by the disposal of undeliverable postal articles;
- “registered postal article” means a postal article that is recorded in the post office where it is mailed and then recorded again in each post office destination and treated with special care;
- “Return Office (RO)” means an office charged with attempting to effect delivery, returns to the sender or disposal of the undeliverable postal articles;
- “unclaimed article” or “mail” means article or mail that for some reason has not been claimed by the addressee and the postal licensee is unable to find an addressee; and
- “undeliverable postal article” means a postal item that, for some reason, has not been successfully delivered to the addressee.

PART II

HANDLING OF UNDELIVERABLE POSTAL ARTICLES

Circumstances for
undeliverable
postal article

- 4.** A postal article shall be considered undeliverable where there is:
- (a) no postage;
 - (b) incomplete, illegible or incorrect address;
 - (c) unknown addressee;
 - (d) unclaimed mail;

- (e) refuses to accept mail by the addressee;
- (f) lack of mailability criteria;
- (g) an unknown sender; or
- (h) mail not entitled to be returned.

Opening and
examining for
sender
identification

5.-(1) Except for unendorsed ordinary mail, all undeliverable priority mail, ordinary mail and package service mail that cannot be returned because of an incorrect, incomplete, illegible, or missing return address shall be opened and examined to identify the sender or addressee.

(2) The insured or priority packets, parcels containing ordinary mail or package service enclosures, shall be handled in the manner prescribed under subrule (1).

Period for
holding
undeliverable
postal article

6.-(1) The postal licensee shall be allowed to hold an undeliverable postal article for-

- (a) a domestic postal article and registered item for not more than one month;
- (b) an international postal article for not more than two months; and
- (c) EMS for not more than fifteen days but not less than one week.

(2) The postal licensee shall, on a monthly basis, send an undelivered mail and item to the Return Office.

Destroying or
abandoning
postal article

7. Where an insured registered item endorsed “Destroy” or “Abandon” by the sender, such item becomes undeliverable at the last office of address if not collected, it shall be forwarded to the Return Office to be destroyed.

Refusal of
postal article by
sender

8.-(1) Where the sender of an undeliverable insured registered postal article refuses to accept on its return, the postal licensee shall send such postal article to the Return Office on the next monthly dispatch.

(2) The electronic record management officer at the Return Office shall enter the returned article in the appropriate register under subrule (1).

(3) Notwithstanding subrule (2) where the sender of an undeliverable insured registered postal article refuses to accept on its return, the postal licensee shall endorse or record relevant form to show the sender's refusal.

Return of postal article

9. A postal article of importance found in points within a postal licensees' jurisdiction shall be returned to the owner at the ordinary rate for the articles.

Article found loose in mail

10. The postal licensee shall match a postal article found loose in the mail with its envelope or wrapper.

PART III

DISPOSITION OF UNDELIVERABLE POSTAL ARTICLES

Marking reasons for non-delivery

11.-(1) The postal licensee shall ensure that reasons for non-delivery are endorsed on an undeliverable postal article when preparing it for final disposition.

(2) In the disposition of an undelivered article referred to under subrule (1), the postal licensee shall-

- (a) recycle an unendorsed article if cost effective;
- (b) donate or recycle periodicals including printed matter, newspapers, magazines and other publications; and
- (c) if cost effective, strip coins from an undeliverable article and account for their values.

Undeliverable merchandise to manufacturer or distributor

12. Return merchandise charging postage for domestic rate to the nearest postal and courier service office, retail store, mail order store or distribution centre where-

- (a) the following evidence of ownership exists:
 - (i) name of the firm that made or distributed the articles; and
 - (ii) order of invoice number or other evidence that the article was mailed by the firm because of a customer's order; and
- (b) a postal article must appear new.

Destroying,
recycling or
shredding mail

13. A postal article which cannot be forwarded or returned to the Return Office for disposition, shall be destroyed, recycled or shredded by the postal licensee after the expiration of the holding period specified under rule 6.

Disposition of
Perishable
articles, Drugs,
and Cosmetics

14.-(1) Disposition of perishable articles, drugs and cosmetics shall be conducted in the following manner:

(a) in case of an injurious article, the postal licensee shall destroy packages containing a perishable article, liquid and any other article likely to injure employees, damage equipment or other postal articles;

(b) in case of a non-injurious perishable article, the Postal licensee shall-

(i) immediately sell all sellable perishable articles that cannot be forwarded to the Return Office or before perishing;

(ii) send the proceeds of sale to the relevant authority after deduction of selling costs.

(2) Notwithstanding rule (1)(b), the addressee and postal licensee employees shall not purchase any such article from the postal licensee.

PART IV RETURN OFFICE PROCEDURE

Opening letters

15.-(1) A postal licensee, through the Return Office, may open an undeliverable letter to identify the name and address of the addressee or sender for the purpose of delivering or returning the postal article.

(2) Where the sender or addressee cannot be identified, the postal licensee shall retain the letter for a holding period of three months.

Opening and
disposal of
parcels

16.-(1) A postal licensee, through Return Office, may open an undeliverable parcel to identify the name and

address of the sender for the purpose of delivering or returning the parcel.

(2) The disposal of a parcel may be carried out through any of the following means:

- (a) return the unclaimed parcel to the sender or if only the addressee's name and address are found, deliver it to the addressee and charge the applicable postage fees.
- (b) where neither the sender nor the addressee can be identified, the postal licensee shall hold the parcel for a period of thirty days in the following cases:
 - (i) priority mail;
 - (ii) package services mail containing valuables; and
 - (iii) priority mail not in the form of a letter.
- (c) where neither the sender nor the addressee can be identified, the postal licensee shall prepare for disposal of all unclaimed postal articles without value, except books and electronic devices.

Disposal of
Books and
electronic
record device

17.-(1) A postal licensee shall dispose of books and electronic record devices, except for those that may be withheld from sale for release to a publisher or distributor.

(2) Where a publisher or distributor requests the release of books or electronic record devices bearing a specific trade name or other organizational identification, the request shall comply with the following conditions:

- (a) be in writing and sent to the postal licensee; and
- (b) include a statement confirming that the requesting person or representative is the publisher or distributor of the book or electronic record device bearing the specified trade name or organizational identification.

Disposal of
Drugs,
Cosmetics and
food

18. The disposal of drugs, cosmetics and food shall be as follows:

- (a) in case of drugs-

- (i) consult the relevant authority;
 - (ii) destroy packages that contain prescription drugs undeliverable to either the addressee or sender as per directive;
 - (iii) donate drugs that are sealed in their original packaging or container to public hospital and charitable organizations, or other nonprofit organizations that will accept them after verification of its genuinely from relevant authority or destroy them if cannot be donated;
 - (iv) submit such drugs to the relevant authorities.
- (b) in case of cosmetics-
 - (i) consult the relevant authority; and
 - (ii) destroy undeliverable cosmetics that might jeopardize health;
- (c) in case of food, donate usable food items treated as undelivered articles impartially and equitably to public or charitable organizations, or other nonprofit organizations, use the following procedure-
 - (i) do not donate homemade items such as mango pickle, jams and the like instead dispose them off as waste; if unsure whether an item is homemade or useable, destroy it;
 - (ii) make sure that the receiving organization sign a release, and state that it takes full responsibility of the handling and use of the food items provided that, keep releases on file for two years;
 - (iii) the receiving organization shall accept the food items available and pick them up in a timely manner; and
 - (iv) destroy food items that cannot be donated by disposing them as waste.

Disposal of
Periodicals and
publications

19. A postal licensee shall adhere to the following procedures for disposal of periodicals and publications:

- (a) verify contents through consultation with the relevant authority ;
- (b) keep proper records in case a request is needed to furnish copies of undeliverable publications;
- (c) donate copies of undeliverable magazines and other periodicals to public institutions and charitable organizations; and
- (d) in case an article cannot be donated or recycled, dispose of them as waste in accordance with the environmental waste management guidelines.

Disposal
merchandise
and product
samples

20. The procedure for disposal of an undeliverable merchandise and product sample such as toiletries, toothpaste, diapers and detergents shall be as follows:

- (a) verify through consultation with the relevant authority;
- (b) donate undeliverable merchandise and product samples in partially and equitably to public and charitable organizations, shelters or other nonprofit organizations that agree to distribute them for free;
- (c) auction merchandise and product samples; and
- (d) dispose of waste samples not able to be donated.

Disposal of
Government
articles

21. The Return Office shall be required to send an unclaimed Government article with its record kept electronically or manually and return the article to the related Government department.

International
postal articles

22. A postal licensee shall return an undeliverable registered postal article originating from abroad to offices of origin in accordance to these Rules.

Disposal
Committee

23.-(1) A postal licensee shall form a Disposal Committee for undeliverable postal articles composed of

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not more than ten members including relevant stakeholders and one member from the Authority.

(2) The function of the Disposal Committee shall be to-

- (a) carry out inspection on undeliverable articles;
- (b) monitor compliance to these Rules;
- (c) receive and consider report from the postal licensee on undeliverable postal articles;
- (d) recommend action for improvement of processing the undeliverable postal articles;
- (e) conduct inspection to the Postal licensee's premises quarterly; and
- (f) supervise the quarterly exercise of destroying undeliverable articles at the Return Office main center.

Disposal of
postal articles
mailed in
violation of law

24.-(1) A postal licensee shall keep a record and report to the relevant authority of all postal articles mailed in contravention to the law.

(2) A postal article mailed in contravention to the law shall be disposed of in accordance to the requirements of the respective legislation on disposition of such article.

PART V GENERAL PROVISIONS

Compliance and
penalty

25. A person who contravenes any of these Rules commits an offence and on conviction shall be liable to a fine as provided under the Act.

Dar es Salaam,
....., 2025

JABIRI K. BAKARI,
Director General