

GOVERNMENT NOTICE No. 91 published on 9/3/2018

THE URBAN PLANNING ACT
(CAP. 355)

REGULATIONS

(Made under section 77(1)(i))

URBAN PLANNING (USE GROUPS AND USE CLASSES) REGULATIONS, 2018

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THE URBAN PLANNING ACT
(ACT NO. 8 OF 2007)

REGULATIONS

(Made under section 77(1)(i))

URBAN PLANNING (USE GROUPS AND USE CLASSES) REGULATIONS, 2018

- Citation 1. These Regulations may be cited as the Urban Planning (Use Groups and Use Classes) Regulations, 2018.
- Interpretation 2. In these Regulations, unless the context otherwise requires –
- Cap.355 “Act” means the Urban Planning Act;
 “Amenity” includes roads, streets, open spaces, parks, recreational grounds, playgrounds, gardens, water supply, electric supply, street lighting, sewerage, drainage, public works and other utilities, services and conveniences;
 “apartment” means a room or suite or rooms, which are occupied or which is intended or designed to be occupied by one family for living purpose;
 “apartment building/multi-dwelling” means a building containing four or more dwelling units, or two building blocks, each containing two or more dwelling units on a given property;
 “Authority” means planning authority;
 “Block of flats” means a residential building consisting of apartments;
 "boarding house" means any residential building the predominant use of which is to provide accommodation with meals for persons, run as a business undertaking for the purpose of gain or profit;
 “building” has the meaning ascribed to it by the Act;
 “Civic amenity" means a market, a post office, a bank, a bus stand or a bus depot, a fair price shop, a milk booth, a school, a dispensary, a maternity home, a child care centre, a library, a gymnasium, a recreation centre used by the Central Government or local government authority, a centre for educational, religious, social or cultural activities or philanthropic service run by a co-operative society or

society registered under relevant law or by a trust created wholly for charitable, educational or religious purposes, a police station, an area office or a service station of the local authority or utility body and such other amenity as the Minister may by notification specify;

“Club” means a society or group of people or an association with common interest or dedicated to a particular interest or activity;

“commercial building” means a building or part of a building, which is used as shops, and/or market for display and sale of merchandise either wholesale or retail, building used for transaction of business or the keeping of accounts, records for similar purpose; professional service facilities, corporate offices, software services, offices of commercial undertakings and companies, fuel stations, restaurants, lodges, cinema theatres, multiplex, community hall (run on commercial basis) banks, clubs run on commercial basis. Storage and service facilities incidental to the sale of merchandise and located in the same building shall be included under this group, except where exempted;

“convalescent and nursing homes” means a building used as a home or institution providing for boarding, care and maintenance of children, old persons or persons with disabilities;

“detached building” means a building, the walls and roof of which are independent of any other building with open spaces on all sides, except the portion covered by the garage;

“fuel service station” means facilities trading in business of petroleum products and liquid gases;

“garage” means a structure designed or used for the parking of vehicles;

“guest house ” means a lodging house in which persons are harboured or lodged for payment for any period in such circumstances that more than two such persons, not necessarily being members of the same family, are permitted to occupy a single room, but does not include any such house or part of a house used solely as a nursing home, hospital, school or similar institution;

“permit” means an official (statutory) document giving someone authorization to do something;

“public and semi-public building” means a building used or intended to be used either ordinarily or occasionally by the

public such as offices of Central Government or local government authorities, a church, temple, chapel, mosque or any place of public worship, college, school, library, theatre for cultural activities, public concert room, public hall, hospital run by public institutions, public exhibition hall, lecture room or any other place of public assembly;

“residential building” means a building used or constructed or adopted to be used primarily for human habitation and it includes garages, and other out-building necessary for the normal use of the building as a residence;

"residential club" means a building occupied by a club or society, the predominant use of which is to provide social and recreational facilities for its members, and in which a proportion of not less than one-fifth of the total covered floor area is designed or adapted for the purpose of bedrooms for members other than the club's employees;

“shopping mall” means a shopping centre or group of retail shops, restaurants, coffee shops, fast food, bank, cinema halls and other businesses facing a system of enclosed walkways for pedestrians

“duper market” means a large store that sells a variety of food and household items to customers;

“terraced dwelling” means houses that are in a row of three or more housing unit.

Use groups and use classes

3.-(1) For the purposes of planning and the control of development, all uses of land and buildings are categorized in the use groups and use classes in the First Schedule.

Uses permissible under special circumstances

4.-(1) The planning authority may, under special circumstances (Second Schedule); permit any use not classified under a separate use class in these regulations provided that such use is in the public interest.

(2) The notice of such intended or proposed use is displayed in the notice board of the Planning Authority and the locality where such use is to occur inviting objections from the public within a period of not less than thirty days from the date of display as may be specified by the Planning Authority; and that such objections are taken into consideration in granting permit of intended or proposed use.

Change of use

5.-(1) The making of any change of use of any land or buildings from a purpose within any use class prescribed under Part I of these Regulations to the use thereof for any other purpose within the same use class shall not be deemed to be "development" as defined in section 2 of the Act.

(2) The making of any change of use of any land or buildings, from a purpose within any use class specified in column 1 of the Table hereto to any other purpose within any use class or classes set out opposite thereto in column 2 of the said Table shall not be deemed to be "development" as defined in section 2 of the Act:

Provided that:-

- (a) in making any such aforesaid change of use, a building or premises shall not be sub-divided into two or more separate premises or the sub-divisions devoted to two or more separate uses;
- (b) no external structural alterations affecting the outward appearance of the building are made.

(3) The provisions of paragraph (1) of this regulation shall not apply to the making of any change of use of any land or building from any use which is not in conformity with any scheme or scheme in course of preparation or, in the case of paragraph (b) thereof, to any use which is not in conformity with any scheme or scheme in course of preparation.

(4) Nothing in these Regulations shall be interpreted as exempting any person who proposes to make a change of use of land or buildings from obtaining any consent or permit required under any Act, Rules or Regulations other than the Act and any regulations made thereunder.

Criteria for change of use

6.-(1) Change of land uses shall aim the following:-

- (a) to maximize use of land and the existing infrastructure;
- (b) to control urban sprawl;
- (c) to allow for new investment;
- (d) to create employment and income opportunities;
- (e) to increase the number of good shelter; and
- (f) to improve the environment.

(2) Any change of land use/plot or farm sub-division which will meet the criteria listed above should be submitted to the Director for approval via each respective Regional Administrative Secretary attached with copies of the following documents:-

- (a) approved minutes of a positive resolution of the respective Council Management Team (CMT);
- (b) applicant's letter
- (c) Planning Authority's letter to submit the application to the Regional Administrative Secretary;
- (d) Regional Secretary's letter together with his detailed comments on the application;
- (e) Placard which was attached in the plot/farm for 30 consecutive days to allow comments from residents on the application;
- (f) Comments from residents (if any);
- (g) Detailed technical report from council's Registered Town Planner explaining on the status of the plot/farm and volubility of the change of use to residents/nation;
- (h) Site organisation showing plot coverage, plot ratio, building height and set-backs;
- (i) An extract of approved T. P. Drawing showing the particular plot/farm certified by a Registered Town Planner;
- (j) Final annual land rent receipt;
- (k) Valid Right of Occupancy/letter of offer;
- (l) Architectural drawings certified by Registered Architect.

(3) The following existing land uses are strictly prohibited to be changed to other uses:

- (a) public open spaces;
- (b) car parking;
- (c) worshipping plots;
- (d) industrial plots;
- (e) cemeteries; or
- (f) special areas designated for living National Figures.

Revocation
G.N Nos 504
of 1960 and
249 of 1993

7.-(1) "Waraka wa Kitaalam Na.1 wa mwaka 2006: Taratibu za Uwasilishaji wa maombi ya Matumizi ya Ardhi na Mgawanyo wa viwanja na Mashamba" and the Town and Country Planning (Use Classes) Regulations of 1960 as amended in 1993 are hereby revoked.

FIRST SCHEDULE

USE GROUPS AND USE CLASSES

(Made under regulation 3)

Use Group A - Dwelling Houses

Use Class:

Individual dwelling houses designed for use as dwellings by single families, together with such outbuildings as are normally used therewith, but not including dwelling houses designed for occupation by more than one family, and not including dwelling accommodation built over or attached to commercial, office or industrial buildings of Groups E to M inclusive.

Terraced dwelling houses (in blocks of two or more) each dwelling designed for use by a single family, together with such outbuildings as are normally used therewith, but not including dwelling accommodation attached to commercial, industrial or office buildings of Groups E to M inclusive.

Dwelling houses occupied principally as dwellings, but also used by the occupiers or tenants for professions and occupations and not used in any way as industrial buildings or for the public display or sale of goods or for the storage of bulky equipment or materials used in the occupier's profession or occupation.

Use Group B – Residential Buildings (other than dwelling houses)

Use Class:

- (a) boarding Houses.
- (b) block of flats, apartment houses.
- (c) housing estate meant for different housing density but principally of maisonettes and/or detached and/or terraced dwelling house.
- (d) residential accommodation over or attached to shops and offices, so far as it applies to that portion designed for dwelling purposes only.
- (e) residential Clubs.
- (f) convalescent and nursing homes.

Use Group C – Special Residential Buildings

Use Class:

- (a) hostels and the residential portion of schools, institutes, colleges, university colleges, universities, convents and monasteries.
- (b) hospitals and sanatoria.
- (c) residential hostels, public or private, licensed or unlicensed for the sale of intoxicating liquor.
- (d) barracks for armed forces or police.
- (e) guest house.
- (f) hotels and motels, lodge, public or private licensed for boarding and the sale of intoxicating liquor.
- (g) rest house

Use Group D – Shops

Use Class:

Buildings for retail trade or retail services but excluding cafés or restaurants, bars (licensed for the sale of intoxicating liquor), hairdressers, cleaners and dyers, shops for the sale of uncooked meats, fish or fried fish, retail markets and petrol service stations.

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- (a) cafés or restaurants;
- (b) bars licensed for;
- (c) sale of intoxicating liquor;
- (d) carnivals;
- (e) festivals;
- (f) hairdressers;
- (g) cleaners and dyers;
- (h) workshops incidental to the running of retail trade and attached to the premises thereof, but not exceeding the total floor area of the trade premises;
- (i) shops attached to service trades (use group m) not exceeding 50 percent of workshop area so far as only the portion devoted to retail sales is concerned;
- (j) Shopping centres and shopping malls which may be under one roof or distributed on a large parcel of land;
- (k) Wholesale markets where no retail trade is carried on; including, in every case, necessary offices.

Use Group E – Special Retail Services and trades

Use Class:

- (a) shops for the retail sale of uncooked meat or fish.
- (b) shops for the retail sale of fried fish and other hot food.
- (c) butchers selling uncooked meat.
- (d) informal trade activities.
- (e) open ground retail markets
- (f) supermarkets

Use Group F – Fuel Service Stations

Use Class:

- (a) petrol stations.
- (b) fuel Service Stations equipped or not equipped with facilities for garage or motor repairs.
- (c) solid fuel storage.
- (d) fuel service stations with commercial activities such as supermarkets, offices and restaurant.
- (e) liquid gases only.
- (f) filling stations.
- (g) car wash bay.
- (h) fire station

Use Group G – Offices

Use Class:

- (a) central or local government offices;
- (b) offices of any organization or political party;
- (c) embassies and other diplomatic missions, including offices of international organizations enjoying diplomatic privileges;
- (d) offices of parastatal organisations;
- (e) offices of business or professions not including public offices listed in Use Group H.

Use Group H – Public Buildings and Places of Assembly

Use Class:

Art galleries, museums, exhibition halls, meeting halls and houses and public halls.

- (a) public bathing and swimming establishments;

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- (b) clinics, health centres, dispensaries, clinicology lab centre not including animal clinics or dispensaries, and excluding retail pharmacy shops;
- (c) clubs - non-residential, community centres;
- (d) function halls, concert halls, cinemas, theatres, lecture halls, gymnasias;
- (e) courts of law;
- (f) buildings for social service, voluntary or charitable associations;
- (g) public libraries;
- (h) post offices, police posts and police stations;
- (i) places of worship, mandals and places for religious institutions.

Use Group J – Special Places of Assembly

Use Class:

- (a) billiard saloons, dance halls, amphitheatres, skating rinks, amusement halls, fair booths, fun fairs, operas, plays and band stands;
- (b) open spaces for active recreation;
- (c) athletics grounds, sports grounds, playing fields, race courses, golf courses, outdoor stadia, indoor stadia, velodromes, traditional ngoma grounds, tot-lots;
- (d) open spaces for passive recreation;
- (e) private and public parks, public gathering grounds, green belts, hiking trails, horse trails, gardens, botanical gardens, urban squares, scenic sites and recreational parks;
- (f) cemeteries and crematoria;
- (g) camp sites and caravan parks;
- (h) aqua-based recreation sites;
- (i) swimming pools, sites for boating, rowing and canoeing, marinas, yachting, scuba-diving, wind surfing, water skiing;
- (j) beaches, sun bathing, swimming.

Use Group K – Educational Buildings

Use Class:

- (a) Nursery, Day Care and Kindergarten.
- (b) Primary schools;
- (c) Secondary schools;
- (d) Schools/Faculties, institutes, colleges, university colleges and universities;
- (e) Vocational training;
- (f) Education Centres.

Use Group L – Wholesale and Storage Warehouses

Use Class:

Wholesale warehouses designed both for storage of goods and transaction of business (other than retail business) relating to such goods; storage and transit warehouses and godowns (not including storage of offensive goods or materials); furniture repositories.

Use Group M – Industrial - Service Trades

This Use Group covers:-

- (a) small-scale industries serving the day-to-day needs of the local populations, which –
- (b) do not employ machinery or plant which is clearly audible in the street or in neighbouring premises under normal working conditions;
- (c) do not employ prime movers other than manual or wind-driven machines or electric motors with a maximum individual output of 5 horse power or a total of 20 horse power; and

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- (d) are not, in any case, of such a nature as to be likely to cause nuisance or annoyance to the neighbourhood.
- (e) craftsman trades carried on at a scale not sufficient to warrant the provision of a factory.

These activities are divided into the following classes:

Use Class:

- (a) the manufacture or processing of confectionery, bread and cakes, ice cream, meat pies, sausages and cooked meats, preserves and aerated waters, pasteurising and bottling of milk, processing of cream, refrigerated storage; small-scale milling of grains; laundries; book-binding; printing of books, posters and newspapers;
- (b) general light joinery using only scantlings milled or cut from the bulk elsewhere (but not including sawmilling), furniture repairing, upholstering, french polishing; awning, blind and sail making and repairing, workshops for radio mechanics, electric repairs, plumbing, tinsmith, copper-smith, and tinkering (but not including panel beating), painters and decorators, sign writers;
- (c) motor vehicle light repairs and servicing and workshops;
- (d) storage yards and depots the uses of which do not involve storage of inflammable or dangerous materials such as petroleum or petroleum products and radiation materials;
- (e) show room; and
- (f) activities in (1) and (2) above but carried out in an informal manner.

Use Group N – Special Industrial

Special industries are industries (including storage) which may be offensive by reason of smell, noise or fumes, or dangerous by reason of the use and storage of dangerous or inflammable materials, or inimical to public health by reason of vermin or other causes.

Special industrial buildings include buildings, yards, storehouses and necessary office accommodation used in any of the following processes–

Use Class:

- (a) kilns, ovens, furnaces or plant for the burning, calcining, sintering, smelting or converting of ores, minerals or metals (but excluding glass works), plant for milling, crushing, grinding or screening materials; installations for power hammering or power forging of iron and steel, recovery of metals from scrap (but excluding scrap storage yards and crush baling of scrap for shipment), panel beating, chromium plating and galvanizing, the dissolution of metals in acid;
- (b) industrial processes involving the production or treatment of noxious, offensive or explosive chemicals, gases or compounds thereof. works which employ such materials in other processes on a scale considered by the minister to constitute an offensive industry. works for the production, manufacture, moulding or rolling of glass. vegetable oil extraction, distilling, refining or blending. soap manufactures using only vegetable oils;
- (c) bulk storage of petroleum products and inflammable fuel oils and inflammable or explosive gases; the filling, storage in bulk and dispatch of containers containing such fluids or gases;
- (d) storing or processing any form of putrescible, offensive or noxious animal matter, offal, by-products or butcher's waste; tanning, leather dressing, hide and skin storage, fish curing or drying (including shark meat and the storage of dried fish in other than refrigerated storage); manufacture of fertilizers from putrescible organic matter; manufacture of soap from animal oils or fats; decortications of sisal (but excluding storage of baled sisal fibre); any trade or process generally similar to the above and likely to be offensive or noxious in any way;

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- (e) industrial and other processes involving the treatment or use of radio-active material; and
- (f) proposals to use land or premises for industries under paragraph (b) above will be considered in relation to the size and scale of the development proposed and may, in suitable cases, be regarded as general industrial by special permission of the Minister.

Use Group O – General Industrial

Use Class:

- (a) all other industries not included in Use Groups M and N;
- (b) provided that certain industries enumerated in Use Class N (a) and (b) may be admitted to this group if it is satisfied in each individual case that the scale of the industrial process is such that it is not likely to require segregation from general industries:

Provided further that certain industries of the Group (excluding the production or storage of foodstuffs) may be added to an industry of Use Group O.

Use Group P – Transport Terminal Facilities

Use Class:

- (a) bus stations and terminals, car parks, lorry parks, garages, multilevel parking garages, lock-up garages;
- (b) railway stations and terminals, subway stations;
- (c) airports (international, regional, local), airstrips and aerodromes;
- (d) posts and dockyards, marina docking, beach-craft landing;
- (e) dry ports.

Use Group Q – Communications and Public Works

Use Class:

- (a) radio or television broadcasting or booster stations, satellite stations, meteorological stations, telephone exchange stations or structures connected with wireless telegraphy;
- (b) electricity generating stations or substations or transformer stations;
- (c) water works including intake, treatment, pumping or storage works;
- (d) sewage treatment or pumping works;
- (e) fire stations;
- (f) telecommunication towers;
- (g) solar energy plants;
- (h) gas services and gas plant;
- (i) wind miller;
- (j) primary solid waste collection point;
- (k) damp site and oxidation pond.

Use Group R – Plant and Animal Husbandry

Use Class:

- (a) cultivation of crops, horticulture, viticulture, floriculture, plant stirpculture including medicinal and cosmetic herbs;
- (b) rearing of cattle, goats, sheep, piggeries, poultry, rabbits, dogs, horses and animal stirpculture;
- (c) farm homesteads. carrying out of activities in use class (a) and (b) associated with residential accommodation;
- (d) forestry including arboriculture, silviculture, apiculture, sericulture;

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- (e) wildlife keeping including zoos, zoological gardens, menageries, terrariums, aviculture and aviaries;
- (f) aquaculture, pisciculture including fish ponds and aquariums;
- (g) snake parks, crocodile farms;
- (h) game hunting sites;
- (i) eco-reserves including animal and bird sanctuaries, areas of unique vegetation population.

Use Group S – Way Leaves for Public Utility Services

Use Class:

- (a) roads and road reserves, railway lines, metro lines, tram lines, footpaths and cycle ways, cart ways
- (b) overhead utility services including electricity supply, telecommunications, telephone, telegraph and wireless lines;
- (c) underground utility services including pipelines for conveyance of water, sewage, oil, gas and underground cables;
- (d) canals, waterways for commercial carriage of freight; waterways for cruising, fishing or other recreational purposes.

Use Group T – Ecologically Fragile Lands for Conservation

Use Class:

- (a) marine and lacustrine beaches, mangrove swamps, onshore and offshore outcrops of coral reefs, continental shelf, estuaries, coastal mudflats, coastal, riverine and terrestrial wetlands, deltas, marshlands, swamps and lagoons;
- (b) streams, rivers, river valleys, river banks and shoulders; springs, and geysers;
- (c) mountains, hills, volcanic craters, steep slopes;
- (d) relic lands including abandoned mines, quarries and pits, salt pans;
- (e) areas of outstanding physiological or geological interest.

Use Group U – Shooting Ranges

Use Classes:

- (a) rifle ranges, shot-gun shooting ranges, skeet shooting fields;
- (b) archery ranges.

Use Group V – Cultural Properties, Buildings, Sites and Areas for Preservation as Heritage

Use Classes:

- (a) all buildings and sites of historic, architectural or cultural interest or value and all lands with such buildings or sites preserved as national or local heritage under the antiquities act;
- (b) archaeological sites;
- (c) notwithstanding any other law to the contrary, all building plans for carrying out of any repair, renovation or restoration of buildings and site or for erecting additional structures in any area with buildings and sites as defined in Use Group W shall require the consent of the Minister.

Note 1: In granting consent for the repair, renovation or restoration of buildings and sites, or for erecting additional structures in any area with buildings and sites as defined in Use Class "a" of Use Group V, or for any development in archaeological sites, the Minister shall hold consultations with the Minister responsible for the preservation of antiquities or the Minister responsible for archaeology, as the case may be.

Note 2: This group shall not constitute an independent use group but may be associated with any other of use Groups A to T inclusive and that this group shall not constitute a class within the

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meaning of that word in paragraph (a) of the definition of "development" in section 2 of the Urban Planning Act.

Use Group W – Special Economic Development Areas

Use Classes-

- (a) land reserved for economic development zones, including export process zone and special economic zone; or
- (b) land reserved by the Tanzania Investment Centre.

Use Group X – Land Acquired and Reserved for Urban Uses

Use Class:

All that land that has been kept as land bank for future urban uses.

Use Group Y - Residual

All land and building uses which do not fall within use groups A to X inclusive, including those which have special technical requirements in sitting.

Approved schools; agricultural buildings and buildings essential for housing and labour lines; public lavatories, prisons; places for detention for mentally defective persons; boarding kennels, animal clinics or dispensaries, small maintenance depots for large housing estates, abattoir, mortuary:

Provided that this group shall not constitute a class within the meaning of that word in paragraph (a) of the definition of "development" in section 2 of the Act.

SECOND SCHEDULE

(Made under regulation 4)

Illustrative list of service industries permissible in residential zones under special circumstances by the Planning Authority and as well as those permissible in retail business zone.

No.	Description
1	Bread and bakeries
2	Confectionery, candies and sweets
3	Biscuit making
4	Ice cream
5	Cold storage (small scale)
6	Aerated water and fruit beverages
7	Flour mills using not more than 5 HP in residential zone and 10 HP in retail business zone
8	Automobile two wheelers and cycle servicing and repairs
9	Furniture (wooden and steel)
10	Publishing, book binding, embossing, etc.
11	Laundry, dry cleaning and dyeing facilities
12	General jobs and machine shops
13	Household utensil repair, welding, soldering, patching and polishing
14	Photograph, printing (including sign board printing)
15	Vulcanising
16	Tailoring

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17	Handlooms (small scale)
18	Velvet embroidery shops
19	Art weavers and silk screen printing and batik work
20	Jewellery, gold ornaments and silver wares
21	Mirrors and photo frames
22	Umbrella assembly
23	Bamboo and cane products
24	Sports goods and its repair shops
25	Musical instruments repair shops
26	Optical lens grinding, watch and pen repairing
27	Radio, TV, Telephones and Computers repair
28	Rubber stamps
29	Card board box and paper products including paper (manual only)
30	Cotton and silk printing/ screen printing
31	Webbing (narrow, fabrics, embroidery, lace manufacturing)
32	Ivory, wood carving and small stone carving
33	Coffee curing units
34	Candles and wax products
35	Household kitchen appliances
36	Washing soaps small scale only
37	Fruit canning and preservation
38	Electric lamp fitting / Assembly of Bakelite switches.
39	Shoe making, repairing (shoe-shine/cobbler)
40	Power looms (silk reeling unit up to 10 Horse Power)
41	Assembly and repair of measuring instruments(excluding handling of mercury and hazardous materials)
42	Clay & modelling with plaster of Paris.
43	Dairy products e.g. cream, ghee, etc.
44	Enamelling vitreous (without use of coal)
45	Manufacture of jute products
46	Photo copying of drawings including enlargement of drawings and designs.
47	Packaging of shampoos, packaging of hair oil
48	Internet café
49	Utensil washing powder (only mixing and packaging).

Dodoma,
14th February, 2018

WILLIAM V. LUKUVI,
*Minister for Land, Housing and
Human Settlement Development*