



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

N\$0.94

WINDHOEK - 30 December 1997

No. 1767

### CONTENTS

#### GOVERNMENT NOTICE

	<i>Page</i>
No. 284 Promulgation of Road Traffic Second Amendment Act, 1997 (Act No. 19 of 1997), of the Parliament .....	1

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## Government Notice

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#### OFFICE OF THE PRIME MINISTER

No. 284 1997

#### PROMULGATION OF ACT OF PARLIAMENT

The following Act which has been passed by the Parliament and signed by the President in terms of the Namibian Constitution is hereby published in terms of Article 56 of that Constitution.

No. 19 of 1997: Road Traffic Second Amendment Act, 1997.

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**EXPLANATORY NOTE:**

- \_\_\_\_\_ Words underlined with a solid line indicate insertions in existing provisions.
- [            ] Words in bold type in square brackets indicate omissions from existing provisions.

**ACT**

To **amend the Road Traffic Ordinance, 1967, so as to increase the annual motor vehicle licence fees and other fees; to provide for the levy of a motor vehicle registration fee; to increase certain penalties and to provide for incidental matters.**

*(Signed by the President on 19 December 1997)*

**BE IT ENACTED** by the Parliament of the Republic of Namibia, as follows:-

**Amendment of section 8 of Ordinance 30 of 1967**

1. Section 8 of the Road Traffic Ordinance, 1967 (in this Act referred to as the Ordinance) is amended by the substitution for paragraph (b) of subsection (2) of the following paragraph:

- “(b) The application shall, except in the case of a motor vehicle falling within any of the exemptions provided for in Schedule I to this Ordinance, be accompanied by payment of the appropriate licence fee and registration fee prescribed in Part I of Schedule 2 to this Ordinance: Provided that where liability arises after the thirty-first day of January in any year the prescribed licence fee shall be reduced by one-twelfth part thereof for every completed month between the date on which liability for licensing arose and the first day of January last preceding such date.”.

**Amendment of section 27 of Ordinance 30 of 1967**

2. Section 27 of the Ordinance is amended by the substitution for subsection (3) of the following subsection:

“(3) An application in terms of subsection (2) shall be accompanied by -

- (a) the licence and clearance certificate of the motor vehicle sold or otherwise disposed of; **[and]**

- (b) the fee prescribed in Part II of Schedule 2 to this Ordinance for the transfer of motor vehicle licences; and
- (c) the registration fee prescribed in Part I of that Schedule.”.

#### **Amendment of section 28 of Ordinance 30 of 1967**

3. Section 28 of the Ordinance is amended by the substitution for subsection (2) of the following subsection:

“(2) A person to whom the licence and registration mark and number of a motor vehicle were surrendered in terms of section 26(7)(b) shall, within twenty-one days from the date on which he or she became the owner of the motor vehicle, apply to the appropriate registering authority for the registration of the motor vehicle in question in his or her name and for the transfer of the licence thereof to him or her. Such application shall be accompanied by the fee prescribed in Part II of Schedule 2 to this Ordinance for the transfer of motor vehicle licences, the registration fee prescribed in Part I of that Schedule, the licence and clearance certificate delivered to the new owner in terms of subsection (1) and a certificate of roadworthiness in respect of the motor vehicle in question, issued in terms of this Ordinance.”.

#### **Amendment of section 165 of Ordinance 30 of 1967, as amended by section 33 of Ordinance 18 of 1971**

4. Section 165 of the Ordinance is amended by the substitution for subsection (4) of the following subsection:

“(4) Any regulation made under this section may provide penalties for any breach thereof, and may also provide for different penalties in case of successive or continuous breaches, but no penalty shall exceed a fine of [**two hundred rand**] N\$4 000 or imprisonment for a period of six months, or both such fine and imprisonment, except that in relation to an offence for a contravention of any regulation made under subsection (1)(c), (d), (l), (n) or (q), penalties in excess of such maximum may be prescribed, but not exceeding a fine of N\$20 000 or imprisonment for a period of two years or both such fine and imprisonment.”.

#### **Amendment of section 170 of Ordinance 30 of 1967, as substituted by section 20 of Ordinance 17 of 1980**

5. Section 170 of the Ordinance is amended by the substitution for subsection (2) of the following subsection:

“(2) Any person who contravenes or fails to comply with any term or condition contemplated in subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding [**four hundred rand**] N\$20 000 or to imprisonment for a period not exceeding [**one year**] two years or to both such fine and imprisonment.”.

Substitution of Schedule 2 to Ordinance 30 of 1967, as amended by section 8 of Ordinance 25 of 1969, section 22 of Ordinance 18 of 1970, section 36 of Ordinance 18 of 1971, section 18 of Ordinance 16 of 1972, section 13 of Ordinance 19 of 1975, section 21 of Ordinance 17 of 1980, section 1 of Proclamation AG.22 of 1983, section 1 of Act 30 of 1985, section 1 of Act 28 of 1986, section 1 of Act 22 of 1987, section 1 of Act 2 of 1988, section 1 of Act 19 of 1988, section 1 of Act 25 of 1995, section 1 of Act 20 of 1996 and section 1 of Act 27 of 1996

6. The following schedule is substituted for Schedule 2 to the Ordinance:

“Schedule 2

Part I

**ANNUAL MOTOR VEHICLE LICENCE FEES AND  
MOTOR VEHICLE REGISTRATION FEE**

1. Motor vehicle licence fees :

Type of vehicle	Tare of vehicle in kilograms	Tariff (N\$)
(a) Motor cycles and tricycles	All	48,00
(b) Motor-cars	Up to and including 750	72,00
	751 - 1 000	108,00
	1 001 - 1 250	120,00
	1 251 - 1 500	132,00
	1 501 and over	168,00
(c) Other self-propelled vehicles	Up to and including 1 000	108,00
	1 001 - 2 000	168,00
	2 001 - 3 000	264,00
	3 001 - 4 000	504,00
	4 001 - 5 000	768,00
	5 001 - 6 000	1848,00
	6 001 - 7 000	2580,00
	7 001 - 8 000	3288,00
	8 001 - 9 000	4200,00
	9 001 - 10 000	5172,00
	10 001 - 11 000	6300,00
	11 001 - 12 000	7608,00
12 001 - 12 500	8868,00	
12 501 and over	8868,00	

plus N\$ 528,00 for every 500 kg or part thereof above 12 500 kg



**ROAD TRAFFIC SECOND AMENDMENT ACT, 1997**

(d)	Trailers and semi-trailers (other than caravans)	Up to and including 1 000	48,00
		1 001 - 2 000	132,00
		2 001 - 3 000	228,00
		3 001 - 4 000	1032,00
		4 001 - 5 000	1488,00
		5 001 - 6 000	2076,00
		6 001 - 7 000	2568,00
		7 001 - 8 000	3192,00
		8 001 - 9 000	4200,00
		9 001 - 10 000	4728,00
		10 001 - 11 000	5436,00
		11 001 - 12 000	6192,00
		12 001 and over	6192,00
		plus N\$ 432,00 for every 500 kg or part thereof above 12 000 kg	
(e)	Caravans	All	60,00
	Provided that in respect of a motor vehicle (other than a tractor, truck-tractor or self-propelled caravan) not designed principally for the conveyance on a public road of persons or goods, or both, which is operated on a public road, the licence fee shall not exceed N\$ 216,00		
(f)	Motor vehicle dealer's licence fees		
	Motor vehicle dealer's licence and one clearance certificate in respect of a motor vehicle, motor cycle or motor tricycle .....		N\$ 2200,00
	For every additional clearance certificate .....		N\$ 440,00
2.	Motor vehicle registration fee:		
	For any class of motor vehicle .....		N\$ 24,00

**PART II  
MISCELLANEOUS FEES**

1.	Certificate of temporary exemption (section 12(1)).....	N\$30,00
2.	Temporary permit (section 14(1)).....	N\$30,00
3.	Special permit (section 14(2)).....	N\$15,00
4.	Transfer of motor vehicle licence (sections 27(3) and 28(2)):	

Act No. 19, 1997

**ROAD TRAFFIC SECOND AMENDMENT ACT, 1997**

	(a) to motor cycle or motor tricycle .....	N\$15,00
	(b) to other motor vehicle .....	N\$20,00
5.	Examination for learner's licence (section 62(3)(a)) .....	N\$20,00
6.	Learner's licence (section 63(2)) .....	N\$15,00
7.	Examination for certificate of competence (section 64(1)):	
	(a) for motor cycle, motor tricycle or tractor .....	N\$65,00
	(b) for other motor vehicle.....	N\$75,00
8.	Driver's licence (section 65(1)(c)) .....	N\$30,00
9.	Examination for instructor's certificate (section 73(4)) .....	N\$90,00
10.	Instructor's certificate (section 73(5)).....	N\$15,00
11.	Examination for certificate of fitness (sec- tion 80(2)) .....	N\$60,00
12.	Certificate of fitness (section 80(1)).....	N\$15,00
13.	Public driving permit (section 89(2)(a)).....	N\$30,00
14.	Examination for certificate of roadworthiness (section 160):	
	(a) for motor cycle or motor tricycle.....	N\$25,00
	(b) for other motor vehicle .....	N\$60,00
15.	Certificate of roadworthiness (section 160).....	N\$15,00
16.	Supply of information from register or record (section 173) .....	N\$10,00
17.	Duplicate document or token (section 177(1)).....	N\$15,00."

**Short title and commencement**

7. This Act shall be called the Road Traffic Second Amendment Act, 1997, and shall come into operation on 1 January 1998.

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