



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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No. 1766

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## Government Notice

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#### OFFICE OF THE PRIME MINISTER

No. 283 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. 18 of 1997: Road Traffic 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 penalties in respect of the late licensing of motor vehicles; to provide for the implementing of a new registration and licensing system in respect of motor vehicles; 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 36 of Ordinance 30 of 1967

1. The following paragraph is substituted for paragraph (a) of subsection (1) of section 36 of the Road Traffic Ordinance, 1967 (hereafter referred to as the principal Ordinance) :

“(a) If the owner of a motor vehicle fails to register or licence such vehicle or to renew the licence in respect thereof, or to pay the licence fee as contemplated in **[item 7 of Part II of Schedule 1]** Part 1 of Schedule 2 to this Ordinance, within the period prescribed, he or she shall pay a penalty calculated at the rate of **[three]** ten per cent per month on every completed **[rand]** Namibia Dollar of such fee over the period during which the default continues : Provided that the penalty shall not exceed the registration or licence fee, as the case may be.”.

## Insertion of Chapter IIA in Ordinance 30 of 1967

2. The following Chapter is inserted in the principal Ordinance after Chapter II :

**“CHAPTER IIA****NAMIBIA TRAFFIC INFORMATION SYSTEM FOR THE  
REGISTRATION AND LICENSING OF MOTOR VEHICLES****Registration and licensing of motor vehicles in terms of the Namibia  
Traffic Information System**

**55A.** (1) The Minister of Works, Transport and Communication may by regulation prescribe a system, to be known as the Namibia Traffic Information System (NaTIS), for the purpose of, subject to subsections (2) and (3), the registration and licensing of motor vehicles, and may further so prescribe -

- (a) (i) the procedures relating to;
  - (ii) the forms to be used for the purpose of; and
  - (iii) the fees payable in respect of,
- such registration or licensing of motor vehicles, as the case may be;
- (b) (i) the date or dates upon which; or
  - (ii) the period or periods of time within or during which,
- any function or duty shall be performed or executed in terms of or in respect of the system;
- (c) the period or periods of time during which or when -
    - (i) the system shall be in operation; and
    - (ii) the registration or licence of a motor vehicle shall be valid; and
  - (d) any other matter relating to the system, or the registration or

licensing of a motor vehicle in terms of the system, as the Minister may deem necessary or expedient to prescribe.

(2) The Minister referred to in subsection (1) may by notice in the *Gazette* determine -

- (a) that the provisions of Chapter II relating to the registration and licensing of motor vehicles shall not apply; and
- (b) that the Namibia Traffic Information System contemplated in that subsection shall apply,

to any area of jurisdiction of a registering authority, and from the date, specified in the notice.

(3) Different dates may under subsection (2) be specified in respect of different areas of jurisdiction of registering authorities.

**Compulsory inspection of motor vehicle and submission of identity card and current motor vehicle licence**

**55B.** (1) The owner of a motor vehicle shall, subject to subsections (2) and (3), at such place, time and date, or during such period of time, as the Minister referred to in section 55A(1) may by notice in the *Gazette* determine, in person present every motor vehicle of which he or she is the owner, for the purpose of a physical inspection of such motor vehicle or motor vehicles by a person or persons designated in such notice, in order to verify the particulars of the motor vehicle and of the owner of such vehicle or vehicles.

(2) The owner of a motor vehicle referred to in subsection (1) shall, when presenting a motor vehicle for the purpose of the conducting of an inspection in terms of that subsection, furnish the person conducting the inspection with -

- (a) the national identity card of the owner, or some other form of identification acceptable to the person conducting the inspection; and

**ROAD TRAFFIC AMENDMENT ACT, 1997**

- (b) the current licence or registration certificate issued in respect of the motor vehicle.

(3) The Minister referred to in subsection (1) may in the notice contemplated in that subsection, specify -

- (a) the area or areas of jurisdiction of the registering authorities;  
or
- (b) the registration mark or registration marks of the motor vehicles,

to which such notice shall apply.

**Extension of validity of motor vehicle licences**

**55C.** (1) The Minister referred to in section 55A(1) may by notice in the *Gazette* extend the expiry date of a motor vehicle licence determined by section 10(1) to the date or for the period determined by that Minister and specified in the notice.

(2) The Minister referred to in subsection (1) may in the notice contemplated in that subsection specify -

- (a) the area or areas of jurisdiction of the registering authorities;  
or
- (b) the registration mark or registration marks of the motor vehicles,

to which such notice shall apply.

**Offences and penalties**

**55D.** Any person who contravenes or fails to comply with any provision of this Chapter, or with any regulation made or any notice issued thereunder, shall be guilty of an offence and on conviction be liable to a fine not exceeding N\$ 4000 or to imprisonment for a period not exceeding

one year or to both such fine and such imprisonment.” .

**Short title and commencement**

3. This Act shall be called the Road Traffic Amendment Act, 1997, and shall come into operation on a date to be determined by the Minister of Works, Transport and Communication by notice in the *Gazette*.

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