



SWAZILAND
GOVERNMENT GAZETTE
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SUPPLEMENT TO
THE
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PUBLISHED BY AUTHORITY



**ESTABLISHMENT OF TINKHUNDLA REVIEW COMMISSION
(AMENDMENT) DECREE, 1992**

In exercise of the powers vested in me by paragraph 14 of the King's Proclamation to the Nation of 12th April, 1973 I, MSWATI III, KING OF SWAZILAND hereby make the following Decree:

Short title.

1. This Decree may be cited as the Establishment of Tinkhundla Review Commission (Amendment) Decree, 1992 and shall be read as one with the Establishment of Tinkhundla Review Commission Decree No. 1 of 1992 referred to in this Decree as the "principal Decree".

Amendment of Section 4.

2. Section 4 of the principal Decree is amended by replacing the words "1st day of June, 1992" appearing therein with the words "1st day of July, 1992".

THUS DONE AT LOZITH'EHLEZI THIS DAY OF 26TH MAY 1992.

**MSWATI III
KING OF SWAZILAND**

THE ROAD TRAFFIC (AMENDMENT) ACT, 1992

(Act No. 4 of 1992)



I ASSENT

MSWATI III

King of Swaziland

20th May, 1992

AN ACT

entitled

An Act to amend the Road Traffic Act, 1965.

ENACTED by the King and the Parliament of Swaziland.

Short title.

1. This Act may be cited as the Road Traffic (Amendment) Act, 1992 and shall be read as one with the Road Traffic Act, 1965 referred to in this Act as the "principal Act".

Addition of Section 5 bis, ter and quat.

2. The principal Act is amended by the addition after Section 5 of the following new sections.

"Inspectorate division

5 bis (1) There is hereby established an Inspectorate Division within the Ministry of Transport and Communications.

(2) The Inspectorate division shall consist of such public officers as the Minister may by notice in the gazette appoint to it.

(3) The public officers appointed to the division shall be designated as inspectors and shall carry out the functions assigned to them by this Act or such other functions as the Minister may from time to time assign to them.

Functions of Inspectors.

5. ter (1) An inspector shall investigate into misuse of Government vehicles and in particular shall—

- (a) inspect any Government vehicle and official documents relating to the vehicle to—
 - (i) determine whether the driver of the vehicle has lawful authority to drive the vehicle;
 - (ii) determine whether the driver of the vehicle is on an authorized journey in terms of regulation 1103 of Part II of the Stores Regulations; and
 - (iii) determine whether the passengers being conveyed in the vehicle are authorised passengers in terms of regulation 1106 of Part II of the Stores Regulations.

(2) An inspector shall examine any Government vehicle for any obvious defects to determine whether the vehicle is roadworthy.

(3) An inspector shall, in carrying out his functions under this Act, liaise with the police whenever necessary.

Powers of Inspectors.

5 quat (1) An inspector may in carrying out his functions under section 5 ter (1) and (2), at any time and place, stop any Government vehicle.

(2) Where an inspector has reason to suspect—

- (a) that a government vehicle is on an unauthorized journey or is carrying unauthorized passengers, luggage, goods or cargo;
- (b) that the driver of a government vehicle is under the influence of narcotic drugs or intoxicating liquor;
- (c) that the vehicle is unroadworthy;

He shall impound such motor vehicle for any period of time that he may deem necessary.

(3) If in the opinion of an inspector there is evidence of misuse of a government vehicle, the inspector shall issue the driver of the vehicle with a notice of intended prosecution.

(4) The notice shall be in triplicate and shall state—

- (a) the name and place of work of the driver;
- (b) the particulars and nature of the misuse;
- (c) the particulars of the government vehicle involved.

(5) The inspector shall—

- (a) give the original copy of the notice of intended prosecution to the driver of the government vehicle;
- (b) retain the second copy of the notice and submit the third copy to the nearest police station and the police shall prosecute the driver under section 118 bis”.

Addition of section 10 bis.

3. The principal Act is amended by the addition after Section 10 of the following new section—

“Unauthorized possession or use of official registration books and rubber stamps

10 bis Any person who is found in possession of or is found to have misused any official registration book or rubber stamp used by the registrar for the purpose of registering motor vehicles (whether genuine or not) without the written authority of the registrar shall be guilty of an offence and liable on conviction to a fine not exceeding two thousand emalangeni or to imprisonment not exceeding two years or to both”.

Amendment of section 31.

4. Section 31 of the principal Act is amended by replacing in subsection (4) the words “two hundred rand or six months” with the words “two thousand emalangeni or two years”.

Amendment of section 118.

5. Section 118(3) of the principal Act is amended by replacing the words “four hundred rand” with the words “four thousand emalangeni or in default of payment, imprisonment not exceeding four year or to both”.

Amendment of section 118 bis.

6. Section 118 bis of the principal Act is amended in subsection (1) by the addition after paragraph (e) the following new paragraph (f).

“(f) Any person to whom authority is delegated in writing by a proper officer”.

Amendment of section 121.

7. Section 121 of the principal Act is amended by replacing subsection (4) with the following subsection—

“(4) Any person found guilty of an offence under this section shall be liable on conviction to a fine not exceeding two thousand emalangeni or to imprisonment not exceeding two years or to both”.