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THE ROAD TRAFFIC (AMENDMENT) ACT, 1996

(Act No. 5 of 1996)



I ASSENT

**MSWATI III
KING OF SWAZILAND**

4th July, 1996

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, 1996, and shall be read as one with the Road Traffic Act, 1965 (hereinafter referred to as "the principal Act").

Amendment of section 27.

2. Section 27 of the Principal Act is amended by replacing sub-section (1) with the following -

“(1) If an owner of a motor vehicle fails to

(a) licence such vehicle, or

(b) renew the licence within the prescribed period,

such owner shall pay, in addition to the licence fee payable, a penalty, which shall not exceed the annual licence fee, as set out in the Third Schedule to the Act, in respect of each month or part of a month after the date upon which such licence fee became due.”

Amendment of section 115.

3. Section 115 of the principal Act is amended in sub-section (2), by replacing the words “one thousand rand” by the words “two thousand Emalangeni.”

Amendment of section 116.

4. Section 116 of the principal Act is amended -

- (a) in subsection (1), by replacing the words "one thousand four hundred rand" with the words "two thousand eight hundred Emalangeni";
- (b) in subsection (2), by replacing -
 - (i) the figure "0.15" with the figure "0.08"; and
 - (ii) the words "eight hundred rand" with the words "one thousand six hundred Emalangeni."

Amendment of section 117.

5. Section 117 of the principal Act is amended -

- (a) in subsection (2)
 - (i) in paragraph (a), by replacing the words "one thousand four hundred rand" by the words "two thousand eight hundred Emalangeni";
 - (ii) in paragraph (b), by replacing the words "four hundred rand" with the words "eight hundred Emalangeni";
 - (iii) in paragraph (c), by replacing the words "two hundred rand" with the words "four hundred Emalangeni";
 - (iv) in paragraph (d), by replacing the words "one hundred rand" with the words "two hundred Emalangeni", and

Amendment of section 117 bis.

6. Section 117 bis of the principal Act is amended in subsection (4), by replacing the figure "R500" with the words "one thousand Emalangeni".

Amendment of section 120.

7. Section 120 of the principal Act is amended in subsection (2), by replacing the words "two hundred rand" with the words "four hundred Emalangeni."

Amendment of section 124.

8. Section 124 of the principal Act is amended in subsection (2) -

- (a) in paragraph (a), by replacing the words "one hundred rand" with the words "two hundred Emalangeni"; and
- (b) in paragraph (b), by replacing the words "two hundred rand" with the words "four hundred Emalangeni."

Amendment of section 137.

9. Section 137 of the principal Act is amended -

(a) in subsection (1) -

- (i) in paragraph (y), by deleting the word "and" after the semi-colon at the end of the paragraph;
- (ii) in paragraph (z), by replacing the full stop at the end of the paragraph with a semi colon and adding the word "and";
- (iii) by inserting after paragraph (z), the following new paragraph -

"(zA) After tabling in and by approval by resolution of Parliament, the maximum levels of an admission of guilt fine to be paid, without appearance in court, for an offence committed under this Act"; and

(b) by replacing subsection (4) with the following new subsection -

"(4) a regulation made under this section may provide penalties for any offence committed under any regulation, and may provide different penalties for successive or continuous offences."

(c) after subsection (4), by inserting, the following new subsection -

"(5) no penalty prescribed in terms of subsection (4) shall exceed -

- (a) in the case of an offence committed in contravention of a regulation made under paragraphs (1), (o) or (r) of subsection (1), a fine of one thousand six hundred Emalangeni or imprisonment for two years or both, and
- (b) in a case other than that referred to in paragraph (a), a fine of two hundred Emalangeni or three months or both."

Insertion of Third Schedule to the principal Act.

10. The principal Act is amended by inserting, the following new Schedule after the Second Schedule -

"THIRD SCHEDULE

PENALTIES FOR FAILURE TO LICENCE
A MOTOR VEHICLE OR RENEW SUCH LICENCE

(Section 27 (1))

The penalty for failure to licence a motor vehicle or to renew such licence shall be an amount determined according to the appropriate licence fee as follows:

Annual licence fee (E)	Penalty per month or part thereof (E)
under 60.00	10.00
between 60.00 and 200.00	20.00
between 201.00 and 500.00	30.00
exceeding 500.00	50.00"

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