

BECHUANALAND PROTECTORATE.

No. 23 of 1947.

(Promulgated 18th April, 1947.)

PROCLAMATION

Entitled the Bechuanaland Protectorate Motor Vehicle and Road Traffic Proclamation, 1947.

Whereas it is expedient to amend and consolidate the laws in force in the Bechuanaland Protectorate (hereinafter referred to as "the Territory") relative to the registration and licensing of motor vehicles and the licensing of motor vehicle drivers and in respect of other matters relating to the use of motor vehicles upon public roads in the Bechuanaland Protectorate;

Now therefore under and by virtue of the powers in me vested I do hereby declare, proclaim and make known as follows:—

1. In this Proclamation, unless the con-^{Definitions.}text otherwise requires—

"authorisation to use" means any valid authorisation to use a motor vehicle upon a public road granted under a special law relative to motor vehicles in force in any outside territory;

"bridge" includes a culvert and/or causeway;

"carriageway" means the main or improved travelled portion of any public road, but excludes any portion of any such road which is set aside for use by pedestrian traffic;

"clearance certificate" means the certificate or token issued as prescribed to a licensee by a registering authority at the time when the motor vehicle or trailer, as the case may be, belonging to such licensee is being licensed under section *five*;

"District" means any Magisterial District established as such by the High Commissioner by notice in the *Gazette*;

"District Commissioner" means the District Commissioner in charge of a District or any Assistant District Commissioner in that District, and when used in relation to any public road, residence, premises or area means the District Commissioner of the District wherein such road, residence, premises or area is situated;

“ driver ” in relation to a motor vehicle, means the person having control of the steering apparatus thereof including, in relation to a motor cycle, the rider thereof, and, in respect of a trailer, means the person driving the motor vehicle by which the trailer is being drawn, and in relation to any other vehicle means the person directing the course followed by such vehicle, and “ drive ” has a corresponding meaning;

“ goods ” includes goods, wares, water, sand, stone and merchandise of all kinds, including livestock;

“ inspector of licences ” means the official charged by the Resident Commissioner with the duty of inspecting licences and motor vehicles under this Proclamation;

“ International Convention ” means the International Convention relative to Motor Traffic (Paris, 1926) or any other similar Convention to which the Government of the Bechuanaland Protectorate may accede;

“ International Certificate for Motor Vehicles ” means an International Certificate for Motor Vehicles issued in terms of the International Convention;

“ International Driving Permit ” means an International Driving Permit issued in terms of the International Convention;

“ intersection ” means the area embraced within the figure which is formed by the prolongation or connection of the lateral boundary lines of two or more roads which join one another, whether or not such roads cross each other;

“ invalid carriage ” means a vehicle propelled by mechanical power and specially designed and constructed (and not merely adapted) for the use of persons suffering from some physical defect or disability and used solely by such persons;

“ licence ” means a licence granted in accordance with this Proclamation and in force; and “ licensed ” has a corresponding meaning;

“ local authority ” means the District Commissioner or such other person or body as may be appointed by the High Commissioner to exercise control over roads and traffic in any specified area;

“ motor vehicle ” means any vehicle self-propelled by mechanical or electrical power and adapted or intended to be employed for

the purpose of conveying persons or goods, and any tractor similarly propelled, and any other vehicle of a class prescribed by regulation to be a motor vehicle, but does not include—

(a) a vehicle running on rails, or a vehicle which though not running on rails is adapted for use upon roads without rails and derives motive power from an overhead wire or is moved by power transmitted thereto from some external source, if such vehicle is the property of a local authority, or is run under statutory authority;

(b) a steam, electrical or motor roller;

(c) a fire engine,

and such other vehicles as the High Commissioner may from time to time by notice in the *Gazette* declare not to be a motor vehicle for the purpose of this Proclamation;

“ motor car ” means a motor vehicle (other than a motor cycle) designed solely or principally for the carriage of persons not exceeding seven in number;

“ motor cycle ” means a motor vehicle having not more than three wheels which is steered by means of a handle-bar or tiller;

“ motor omnibus ” means a motor vehicle designed solely or principally for the carriage of persons exceeding seven in number;

“ to operate ”, in relation to a vehicle, means to use or drive, or cause or permit to be used or driven, or permit to be, on any public road, whether the person operating is present in person or not;

“ outside territory ” includes the Union of South Africa, the Mandated Territory of South West Africa, Northern and Southern Rhodesia, Swaziland and Basutoland;

“ owner ”, in relation to a vehicle, includes the owner, joint owner or part owner of a vehicle and any person who has the lawful use of such vehicle;

“ parking ” means the standing or waiting in any public place of any vehicle not actually engaged in taking up or setting down passengers or merchandise;

“ parking place ” means a place where vehicles of any particular class or description may lawfully wait;

“ passenger ” does not include a driver or conductor;

“ police officer ” means a European member of a police force established by law or of any body of persons carrying out under any law the powers, duties and functions of a police force in the Bechuanaland Protectorate;

“ passenger ” does not include a driver or posed of flexible material and when in use kept inflated at an air pressure greater than atmospheric pressure;

“ prescribed ” means prescribed by or under this Proclamation or any regulation;

“ provisional licence ” means a licence issued under section *twenty* to any person learning to drive a motor vehicle;

“ public road ” means—

(a) any road established, proclaimed or recognised as such under the provisions of any law and includes bridges over which such road passes;

(b) any road or thoroughfare however created which, before or after the commencement of this Proclamation, has been in undisturbed use of the public or which the public has had the right to use during a period of not less than three years; and

(c) any street or thoroughfare and any other public place whatever open to the use of the public for purposes of vehicular traffic;

Provided that in any prosecution under this Proclamation the road on which the offence is alleged to have occurred shall be assumed to be a public road unless and until the contrary is proved;

“ quarter day ” means the 31st March, 30th April, 30th September and 31st December;

“ registering authority ” means the District Commissioner or such other person as may be appointed by the High Commissioner with jurisdiction for the purpose of this Proclamation in the area in which the owner of a motor vehicle resides: Provided that in respect of motor vehicles and trailers which are the property of the Bechuanaland Protectorate Government the registering authority shall be the Director of Public Works;

“ recognised motoring organisation ” includes the Automobile Association of South Africa, and the Royal Automobile Club of South Africa, and any other similar organisation notified by the High Commissioner in the *Gazette*;

“ regulation ” means a regulation made and in force under this Proclamation;

“ street ” includes any public street, road, square, thoroughfare or public place in any urban area;

“ traffic officer ” means an officer duly appointed under any law to control or regulate traffic and matters incidental thereto;

“ trailer ” means a vehicle without motive power, designed solely or principally for carrying persons or goods wholly on its own structure and adapted for being drawn by a motor vehicle; provided that a sidecar attached to a motor cycle shall be regarded as forming part of the motor cycle to which it is attached and not as being a trailer;

“ urban area ” means any area which the High Commissioner shall hereafter proclaim by notice in the *Gazette* to be an urban area for the purposes of this Proclamation;

“ vehicle ” means any conveyance or structure which is designed to be propelled or drawn on land, and includes any motor vehicle and any aircraft when such aircraft is stationary or in motion upon a public road, but shall not include a conveyance designed and used for transporting infants or infirm persons of such conveyance is propelled or drawn by a human being.

CHAPTER I.

REGISTERING AND LICENSING OF MOTOR VEHICLES AND TRAILERS.

2. (1) (a) The owner of every motor vehicle or trailer shall, within the period prescribed by paragraph (b) hereof, register the same at the office of the registering authority in whose area of jurisdiction he resides, and upon registration the registering authority shall issue to him a certificate of registration: Provided that—

Registration of motor vehicles and trailers.

(i) if such owner is not resident in the Territory, or in any outside territory, then

he shall register such vehicle or trailer in the district in which ownership was acquired;

(ii) if such owner is resident in any area of jurisdiction of a registering authority within the Territory other than that in which ownership of the vehicle or trailer was acquired, or in any outside territory, then such owner may, if he wishes to do so, register such vehicle or trailer in the district in which ownership was acquired.

(b) The period within which such registration shall be effected shall be seven days after—

(i) the owner has acquired ownership of a motor vehicle or trailer;

(ii) the first day of January of the year immediately following that in which the vehicle or trailer was previously registered if such registration was effected in a district other than that in which the owner is resident;

(iii) a motor vehicle or trailer (which has previously been partially or wholly dismantled and in respect of which registration has been cancelled in terms of this Proclamation) has been wholly or partially reconstructed so as to render it fit for use, or has been returned to the Territory and is not exempt from registration in terms of this Proclamation;

(iv) the date on which any motor vehicle which is not exempt from being registered and licensed in the Territory is brought into the Territory;

(v) the date on which an exemption from registering and licensing a motor vehicle under section *thirty-one* has ceased to operate;

(vi) such other date or time as may be prescribed by regulation.

(2) In registering a motor vehicle the registering authority shall cause a number to be assigned to such motor vehicle, and the owner thereof shall cause to be affixed or painted and shall keep affixed or painted both at the back and front of such motor vehicle the number so assigned in such position upon the motor vehicle as may be prescribed by regulation. The same number shall not be assigned by the registering authority in its registers to more than one motor vehicle.

(3) The Resident Commissioner shall assign to each registering authority a letter, or letters or combination or combinations of letters, or other mark, as the distinctive mark under this Proclamation of that authority, and the owner of every motor vehicle registered under this Proclamation shall cause to be affixed or painted and shall keep affixed or painted the distinctive mark of the registering authority concerned in such position upon the motor vehicle as may be prescribed by regulation.

(4) (a) The registering authority of any area wherein are situated the business premises of any manufacturer of motor vehicles or trailers, or dealer in motor vehicles or trailers who is an importer of motor vehicles or trailers, may assign to that manufacturer or dealer and register a general identification mark and issue a certificate of such registration. Upon production of such certificate to any issuer of licences and upon payment of the sum of ten pounds there shall be issued to such manufacturer or dealer a licence for the calendar year or portion thereof next ensuing, and thereupon such mark as aforesaid may be placed on any motor vehicle or trailer owned by him whilst it is used for any purpose connected with his business as a manufacturer or importer and dealer in motor vehicles or trailers. So long as the motor vehicle or trailer is being used for such legitimate purpose, any other purpose subsidiary or incidental thereto may be served at the same time: Provided that any manufacturer or dealer to whom is issued a certificate of registration after the thirtieth day of June in any year may obtain a licence for the remainder of the year upon payment of half the amount of the annual licence fee.

(b) The registering authority of any area wherein are situate the business premises of any dealer in motor vehicles or trailers, who is not an importer of motor vehicles or trailers, may assign to that dealer and register a general identification mark and issue a certificate of such registration. Upon production of such certificate to any issuer of licences and upon payment of the sum of three pounds there shall be issued to such dealer a licence for the calendar year or portion thereof next ensuing. Such identification mark may be placed upon any motor vehicle or trailer owned by such dealer in motor vehicles or

trailers whilst it is used for any of the purposes which may be prescribed by regulation, and shall be subject to the observance and fulfilment of any conditions as to the use thereof which may be imposed by regulation.

(c) Every agent of a manufacturer or dealer in motor vehicles or trailers, whether or not he is an importer of such motor vehicles or trailers, who carries on business at premises other than the premises at which his principal carries on business shall be required to obtain a separate certificate and licence as provided in paragraph (b) .

(5) (a) Except in respect of motor vehicles and trailers belonging to the Bechuanaland Protectorate Government or to any State Member of the British Commonwealth of Nations and used exclusively for any military or air force purposes, or to any Native Administration, every application for the registration of a motor vehicle or trailer under this Proclamation shall, wherever a fee is payable therefore, be accompanied by the appropriate registration fee.

(b) The fee payable for registration shall be five shillings.

(c) If any motor vehicle or trailer be not registered within the period prescribed by paragraph (b) of sub-section (1) of this section, the fee, if any, payable for registration shall be increased by five per centum for every month or part of a month during which the default continues: Provided that the amount of any increased fee thus imposed shall not exceed the amount of the fee payable for registration.

(d) The payment of the registration fee and increased fee as provided in the last preceding paragraph shall not in any way relieve the owner from any liability to prosecution arising out of his failure to register such motor vehicle or trailer, nor shall a conviction for failure to register a motor vehicle or trailer relieve the owner thereof from his liability to register the said motor vehicle or trailer, or to pay the increased fee due by him in terms of the last preceding paragraph.

(e) Any registration fee, or increased fee due by an owner in terms of paragraph (c) of this sub-section, shall be deemed to be a debt due to the Bechuanaland Protectorate Government and shall be recoverable in any Court of competent jurisdiction.

(6) Any person who fails to register a motor vehicle or trailer within the prescribed time or to pay the prescribed fee therefore shall be guilty of an offence.

(7) The owner of every motor vehicle or trailer so registered shall obtain from the registering authority a certificate of registration which shall not require renewal.

3. (1) Immediately upon registration of a motor vehicle or trailer as provided in sub-section (1) of section *two*, it shall be the duty of every owner to procure from the registering authority which effected the registration a licence in respect of the use thereof, and such licence shall be renewed annually on or before the thirty-first day of January. Annual licences of motor vehicles and trailers to be obtained.

(2) Every owner of a motor vehicle or trailer shall be presumed to use such motor vehicle or trailer and to be liable for licence fees, except as otherwise provided in this proclamation.

(3) No such licence shall be granted in respect of any motor vehicle or trailer which has not been duly registered under this Proclamation.

(4) (a) Where an application is made for a licence other than a renewal licence in respect of a motor vehicle or trailer, whether new or second-hand, which has been purchased or otherwise acquired from such a dealer in, importer or manufacturer of motor vehicles or trailers as is described in paragraphs (a), (b) and (c) of sub-section (4) of section *two*; the applicant shall produce to the registering authority a certificate by such dealer, importer or manufacturer as to the fitness of the motor vehicle or trailer for use on a public road.

(b) When an application is made for a licence other than a renewal licence in respect of a motor vehicle or trailer which has been purchased or otherwise acquired from a person other than a dealer in terms of paragraphs (a), (b) and (c) of sub-section (4) of section *two*, the registering authority may, before registering such motor vehicle or trailer, cause it to be examined as to its fitness for use on a public road. The cost, if any, of such examination shall be borne by the applicant and shall be paid by him before any certificate of registration is issued: Provided that a certificate as to the fitness of the

motor vehicle or trailer issued by a recognised motoring organisation shall be sufficient for the purposes of this sub-section.

(c) If any certificate produced under paragraph (a) hereof is in the opinion of the registering authority unsatisfactory, or if any examination or certificate under paragraph (b) hereof shows that the motor vehicle or trailer is not fit for use on a public road, the registering authority shall refuse to licence such motor vehicle or trailer until such time as it is shown to the satisfaction of such registering authority that such motor vehicle or trailer has been rendered fit for use on a public road.

(d) If any person is aggrieved at the refusal under this sub-section by any registering authority to issue a licence, such person may appeal to the Resident Commissioner whose decision shall be final.

(e) Except as provided in sub-section (5) of this section, no action for damages or other relief shall lie against any person arising out of the issue of any such certificate as is mentioned in this sub-section.

(5) Any person who knowingly issues a false certificate as to the fitness of any motor vehicle or trailer for use on a public road shall be guilty of an offence.

(6) Any person who uses upon a public road a motor vehicle or trailer for which a licence has been refused under sub-section (4) of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding fifty pounds or to imprisonment for a period not exceeding three months, or to both such fine and imprisonment. In addition to any such penalty the court may endorse the driver's licence or suspend such licence for a period not exceeding twelve months. If a person so convicted is not the holder of a driver's licence the court may disqualify him from obtaining a driver's licence for a period not exceeding twelve months.

(7) Every licence issued under this section shall be for a period terminating on the next succeeding thirty-first day of December.

How
application
for licence
to be made.

4. (1) Application for any such licence shall be made by the owner in the prescribed form, and the first application in respect of any motor vehicle or trailer shall be made within seven days after the acquisition thereof, or within the period prescribed by sub-section (1) (b) of section *two*.

(2) Except in respect of motor vehicles and trailers belonging to the Bechuanaland Protectorate Government, or to any State Members of the British Commonwealth of Nations and used exclusively for any military or Air Force purposes, or of any motor vehicle or trailer belonging to any Native Administration in the Territory, there shall be paid by the owner of the motor vehicle or trailer on making application for the issue of an annual licence in respect thereof, the appropriate annual fee prescribed in the Second Schedule: Provided that where liability for a licence arises after the thirty-first day of January in any year the licence fees prescribed by this Proclamation shall be reduced by one-twelfth part thereof for every complete month between the date on which liability for the licence arose and the first day of January preceding such date: Provided, further, that if any owner fails to renew his licence in respect of his motor vehicle or trailer within a period of six months from the date of the expiry thereof the registration shall be *ipso facto* cancelled, and any owner desiring to take out a licence in respect of his motor vehicle or trailer after the expiry of the said period of six months shall obtain a new registration as prescribed in section *two* and shall pay the fee prescribed therefore in the Second Schedule.

(3) (a) Notwithstanding anything contained in the preceding sub-section to the contrary the registration in respect of a motor vehicle or trailer shall remain in force if at any time a motor vehicle or trailer registered under this Proclamation is—

(i) removed temporarily from the Territory;

(ii) temporarily in such a damaged or worn-out condition that it is incapable of being put to use;

(iii) temporarily dismantled so as to be unfit for use;

(iv) left with a dealer, importer or manufacturer, as is described in paragraphs (a), (b) and (c) of sub-section (4) of section *two*, for sale, and is not operated otherwise than by the dealer in the authorised manner;

(v) temporarily laid up by the owner and not in use;

(vi) altered as prescribed in sub-section (2) of section *six*;

or in such other circumstances as may be prescribed; and the owner of such motor vehicle or trailer has applied to the registering authority at whose office such motor vehicle or trailer is registered for a refund of the unexpired portion of licence fees paid and/or exemption from payment of licence fees as from the next succeeding first day of January.

The term "authorised manner" occurring in paragraph (iv) of this sub-section means that the motor vehicle or trailer in question shall be operated, only for the purpose of displaying it to or testing it for a prospective customer.

(b) Application for any such refund and exemption, or for exemption only, or for such refund only, shall be made in the prescribed form, and on receipt of such application the registering authority shall, subject to such proof as may be required being given, grant such refund and exemption, or exemption only: Provided that applications for exemption only from licence fees shall be received by the registering authority not later than the thirty-first day of December of the year immediately preceding the year in respect of which exemption is claimed, and provided further that applications for refunds and exemption shall be made not less than ten days prior to the date from which the refund is claimed, and shall be accompanied by a fee of two shillings and sixpence:

No such exemption shall extend for a period of more than two years.

(c) The registration of every motor vehicle or trailer in respect of which an exemption has been granted under this sub-section shall be cancelled in terms of sub-section (4) of section *ten* if the vehicle be destroyed.

(d) During the consideration of a bona fide application under this sub-section the owner shall be protected from proceedings for default provided that the decision of the registering authority be not delayed through his fault, but the obligation shall revive as from the original date if the certificate is not granted.

(4) (a) Refunds in respect of unexpired portions of licences previously paid shall be one-twelfth part of the total licence fees for every complete month between the date from which the refund is claimed and the first day of December of the year in which the licence fee was paid. When a refund is

granted in terms of this sub-section the owner shall deliver to the registering authority his clearance certificate and current licence receipt.

(b) When a refund is made and exemption granted, or exemption only is granted, the registering authority shall hand to the owner a certificate in the prescribed form exempting him from taking out a licence for a stated period. The exemption shall cease at the expiry of the term of the certificate, unless it has been renewed, and in any case upon the motor vehicle or trailer being—

- (i) returned to the Territory;
- (ii) repaired or restored sufficiently for use;
- (iii) removed from the premises of any dealer, importer or manufacturer as described in paragraphs (a), (b) and (c) of sub-section (4) of section *two*, and taken into use;
- (iv) brought into use by the owner;

or if such other circumstances as may be prescribed; and licence fees payable on the cessation of such exemption shall be as set out in sub-section (2) of section *four*.

(5) It shall be the duty of the owner or person in charge of the motor vehicle or trailer to report to the registering authority immediately upon the conditions precedent to such exemption ceasing to exist under penalty of a contravention of this sub-section.

5. On receipt of an application for a licence in respect of a motor vehicle or trailer and of the prescribed fee, if any, therefore, and on production of the certificate of registration of the motor vehicle or trailer, and, if exemption from payment of licence fees has been granted, on production of the certificate of exemption, the registering authority shall issue in the prescribed form a licence in respect of such motor vehicle or trailer, as the case may be, and a clearance certificate.

Issue of
licences.

6. (1) Where any motor vehicle, in respect of which any such licence as aforesaid has been issued, is altered after the licence has been issued, in such a manner as to cause the motor vehicle to become a motor vehicle in respect of which a higher rate of fee is prescribed, the licence shall become void and the motor vehicle shall be deemed to be unlicensed, but the holder of the licence shall,

Alterations
to motor
vehicles.

on surrendering the same to the registration authority and furnishing the prescribed particulars, be entitled to receive a new licence in respect of the motor vehicle, to have effect for the period for which the surrendered licence would, if it had not become void, have remained in force, on payment [subject to reduction if any in accordance with the first proviso to sub-section (2) of section *four*] of such amount, if any, as represents the difference between the amount payable on the new licence and the amount paid on the surrendered licence.

(2) Where any motor vehicle, in respect of which any such licence as aforesaid has been issued, is altered after the licence has been issued, in such a manner as to cause the motor vehicle to become a motor vehicle in respect of which a lower rate of fee is prescribed, the owner may surrender his clearance certificate and current licence receipt and claim a refund of the unexpired portion of licence fee paid as prescribed in this Proclamation.

(3) Subject to such proof as may be required, the registering authority shall grant such refund and cancel such licence and thereupon the owner shall procure a new licence as provided in sub-section (2) of section *four*.

Licence to refer to registration number and distinctive mark.

7. Every licence in respect of a motor vehicle or trailer shall refer to the assigned registration number and distinctive mark of the motor vehicle or trailer to which it relates.

Penalty for failure to license.

8. (1) If any owner of a motor vehicle or trailer fails to take out or renew a licence in respect of the use of such vehicle or trailer as required by this Proclamation, and to pay the prescribed fee therefor, upon registration of such motor vehicle or trailer, or, where temporary exemption has been granted from licence fees, within seven days of the expiration of such exemption period, or on or before the third day of March of the year in which such fee is due in the case of a renewal, the fee payable for such licence shall be increased by ten per centum for every month or part of a month during which the default continues, provided that as from the commencement of this Proclamation the amount of any increased fee thus imposed shall not exceed the amount of the licence fee.

(2) The payment by the owner of the licence fee and increased fee due by him in terms of the preceding sub-section shall not in any way relieve him from any liability to prosecution arising out of his failure to licence such motor vehicle or trailer, nor shall a conviction for failure to licence a motor vehicle or trailer relieve the owner thereof from his liability to license the said motor vehicle or trailer, or to pay the increased fee due by him in terms of this section.

(3) Any licence fee or increased fee due by an owner in terms of this section shall be deemed to be a debt due to the Bechuanaland Protectorate Government and shall be recoverable in any Court of competent jurisdiction.

9. Every registering authority shall keep at its offices such registers as may be prescribed. Registers to be kept.

10. (1) Any person who has not renewed the licence of his motor vehicle or trailer and does not hold a certificate of exemption from payment of licence fees, shall not later than the seventh day of July in any year cause to be removed or painted out the distinctive mark and number affixed or painted in terms of sub-section (2) of section *two*. Cancellation of registration.

(2) The cancellation of a registration, or the removal of a distinctive mark and number in terms of this section, shall not in any way relieve the owner of the motor vehicle or trailer from the payment of the licence fee or penalties for which he is liable in terms of this Proclamation.

(3) If any registered motor vehicle or trailer is broken up, destroyed or becomes permanently useless as a motor vehicle or trailer, or is removed permanently from the area of jurisdiction of the registering authority at whose office it was registered, the owner of the motor vehicle or trailer shall forthwith give to the registering authority at whose office the motor vehicle or trailer is registered notice of its breaking up, destruction, condition or removal, as the case may be, and shall (except in the case of permanent removal from the area of jurisdiction of the registering authority in which such motor vehicle or trailer was registered) deliver to such registering authority the certificate of registration of the motor vehicle or trailer and the

then current annual licence, if any, and the clearance certificate in respect thereof. This sub-section shall not apply to any dismantling, temporary destruction or removal in respect of which registration is maintained in force in terms of paragraph (a) of sub-section (3) of section *four*.

(4) The registering authority shall thereupon cancel the registration of the motor vehicle or trailer and the annual licence and clearance certificate in respect thereof and shall refund the unexpired portion of the licence fees paid according to the scale provided in paragraph (a) of sub-section (4) of section *four*: Provided that where an owner of a motor vehicle or trailer changes his place of residence from the area of jurisdiction of one registering authority to that of another, or has, as provided in this Proclamation, previously registered his motor vehicle or trailer in an area of jurisdiction of a registering authority other than that in which he resides, the said documents shall not be cancelled but the registering authority shall note the fact of such change of place of registration in its register of motor vehicles and trailers and shall cancel the registration in the said register only at the expiry of the licence issued to such owner.

(5) Whenever a fresh registration of a motor vehicle or trailer takes place in the circumstances described in sub-section (1) of section *two* the registering authority at whose office such registration has been effected shall within fourteen days thereafter furnish every other registering authority concerned with such particulars as may be prescribed of the motor vehicles or trailers so registered afresh and in respect of which registration was originally made at the office of such other registering authority. Such other registering authority shall upon receipt of the said particulars cancel the registration of every motor vehicle or trailer in respect of which such fresh registration has been effected.

(6) If, after due enquiry, the registering authority is of the opinion that a motor vehicle or trailer is unsafe or is unfit to be operated, or is not properly equipped as required by this Proclamation or the regulations made thereunder, the registering authority shall notify the owner that his motor vehicle or trailer is unfit to be operated, or not properly equipped, as the case may be, and shall require such owner to deliver to the

office of the registering authority his then current licence receipt and clearance certificate. The licence in respect of such motor vehicle shall then be deemed to be suspended and shall not be reinstated until such owner shall have satisfied such registering authority that such vehicle is safe to be operated and properly equipped as required by this Proclamation or the regulations made thereunder. Any person who, being the holder of a licence, is aggrieved at the suspension thereof under this sub-section may, within a period of twenty-one days of such suspension, appeal against the decision of the registering authority to the Resident Commissioner whose decision shall be final in the matter. If such decision is in favour of the appellant the registering authority shall forthwith reinstate such licence.

(7) When the registration of a motor vehicle is cancelled, the registering authority may assign to any other motor vehicle thereafter registered at its office the number and distinctive marks previously assigned to the motor vehicle the registration whereof has been cancelled.

(8) An owner who fails to comply with the provisions of this section shall be guilty of an offence.

11. (1) Within seven days after the sale or other disposal of any registered motor vehicle, the person selling or otherwise disposing of the same shall, in the prescribed form, notify the registering authority at whose office the motor vehicle is then registered of the fact of such disposal, the name and address of the new owner, and such other particulars as may be prescribed, and shall transmit to the said registering authority the certificate of registration of the motor vehicle and the then current annual licence and clearance certificate in respect thereof: Provided that where exemption has been granted in terms of subsection (3) (a) and (b) of section four, the registration certificate and certificate of exemption from licence fees shall be handed in to the registering authority.

(2) The owner of any registered motor vehicle who sells or otherwise disposes of such motor vehicle shall either—

(a) forfeit all interest in the licence registration and registration number of such motor vehicle, or

(b) forfeit all interest in the registration and registration number of such motor vehicle and claim a refund in respect of the unexpired portion of the licence fees paid according to the scale provided in paragraph (a) of sub-section (4) of section *four*, and in either case shall sign a statement on the prescribed form setting out that he has forfeited all interest in the licence and registration and registration number of such motor vehicle or forfeited all interest in the registration and registration number of such motor vehicle and received a refund of the unexpired portion of the licence fees paid, as the case may be. Such statements shall be signed by the person disposing of the vehicle and the registering authority, and retained by the latter.

(3) Should a registration in terms of this section be effected in a district other than that in which the motor vehicle was previously registered, then the registering authority of the district in which the motor vehicle was previously registered shall dispatch to the registering authority of the district in which the motor vehicle is to be newly registered the current annual licence, registration certificate, and certificate of clearance, and the registering authority of the area in which the motor vehicle is to be newly registered shall, if the previous owner has adopted the procedure set out in paragraph (a) of sub-section (2) of this section, upon receipt of the fee prescribed by sub-section (5) (b) of section *two* and a fee of five shillings issue a certificate in the prescribed manner of the change of ownership. The number and date of such certificate shall be endorsed upon the registration certificate and upon the licence and a new clearance certificate shall be issued in respect thereof. The licence shall then continue in force subject to the provisions of this Proclamation until the date of expiry thereof, and if the previous owner has adopted the procedure set out in paragraph (b) of sub-section (2) of this section such registering authority shall register and licence such motor vehicle anew as provided in this Proclamation.

(4) Any person who fails to comply with any of the provisions of this section shall be guilty of an offence.

Duplicate
certificates
or licences.

12. (1) Whenever it shall appear to the satisfaction of the registering authority that the certificate or licence issued to any person under this Chapter or under Chapter II has

been lost, destroyed or accidentally defaced or the figures and particulars thereon have become illegible, such authority shall on payment of a fee of two shillings and sixpence issue a duplicate of such certificate or licence with the word " Duplicate " written thereover, and the duplicate so issued shall have the same effect as the original certificate or licence.

(2) If at any time after the issue of a duplicate of any lost certificate or licence the original certificate or licence shall be found the owner of the motor vehicle shall take all reasonable steps to obtain possession of such original and return it to the registering authority who granted or issued the duplicate thereof.

13. (1) Any owner of a motor vehicle or trailer shall, if so required by a registering authority, furnish such evidence as may be reasonably available to or obtainable by him in regard to the weight of a motor vehicle or trailer when such vehicle is being registered or when a licence is being taken out in respect of the use thereof in terms of this Proclamation.

Furnishing
of evidence
as to
weight of
motor
vehicle, and
false
informa-
tion.

(2) The Resident Commissioner may require any dealer in motor vehicles or trailers to furnish a sworn declaration specifying the weight of any motor vehicle or trailer sold by him. Any such dealer who fails to comply with the Resident Commissioner's requirements in terms of this sub-section shall be guilty of an offence. The expression " weight " as used in this and the preceding sub-section has such meaning as shall be prescribed by regulation.

(3) Any applicant for a registration certificate or for a duplicate of such certificate or licence, or any other person required in terms of the provisions of this Proclamation to give any information, who shall wilfully give false, misleading or inaccurate information shall be guilty of an offence.

14. (1) Any police officer or inspector of licences may—

(a) examine or stop and examine any motor vehicle or trailer and the machinery thereof for the purpose of ascertaining whether that motor vehicle or trailer is the vehicle referred to in any licence which has

Powers of
certain
officers to
examine
motor
vehicle and
trailers
and to
enter
premises.

been issued under this Proclamation, or for the purpose of ascertaining whether the vehicle or trailer is properly equipped and not unsafe or unfit to be operated or for any other purposes of this Proclamation;

(b) enter any premises after notification to the owner of the premises for the purpose of making such an examination:

Provided that such police officer or inspector shall not stop any such vehicle or enter any such premises unless he is in uniform or is wearing some conspicuous badge or token of his office, and provided further that if not in uniform or not wearing such badge or token such police officer or inspector shall, if so required by the person in charge of the vehicle, produce documentary evidence of his authority to act as a police officer or inspector.

(2) If any person—

(a) in any way obstructs or interferes with such officer or inspector in the exercise of any of the powers conferred on him by this section or prevents him from exercising any such powers; or

(b) fails to comply with any reasonable requirements or directions given by such officer or inspector for the purpose of the exercising of the said powers, he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty pounds.

Penalties
for not
taking out
licences,
etc.

15. (1) Any person who—

(a) fails to take out a licence and to pay the fee or fees therefor as prescribed in this Proclamation in respect of any motor vehicle or trailer; or

(b) uses upon a public road a motor vehicle or trailer upon which any mark or number assigned in respect thereof under this Proclamation is not affixed or painted as prescribed; or

(c) uses upon a public road a motor vehicle or trailer upon which any such mark or number though so affixed or painted is in any way obscured or has become not easily legible, except from mud or other temporary cause not in the driver's control;

shall be guilty of an offence and liable on conviction to the penalties prescribed therefor:

Provided that—

(i) a person charged under paragraph (a) or (b) shall be discharged if he proves to the satisfaction of the court that he had no reasonable opportunity of registering the motor vehicle or trailer or of obtaining a licence therefor in accordance with this Proclamation and that the vehicle or trailer was being driven along the public road for the purpose of registering or obtaining a licence for the same;

(ii) a person charged under paragraph (c) shall be discharged if he proves that he has taken all steps reasonably practicable to prevent the mark or number being obscured or becoming not easily legible.

(2) No motor mechanic shall be liable to prosecution under this section in respect of his use of a motor vehicle which has been sent to him for overhauling or repair purposes and is used by him on a trial run and which, without his knowledge, bears identification letters, or a number, or a clearance certificate which does not relate to such motor vehicle.

16. Save as is excepted in this Proclamation or any regulations made thereunder, any person whatsoever (whether he is the owner of the motor vehicle or trailer or not) who knowingly operates or causes or allows to be operated a motor vehicle or trailer in respect of the use of which a licence under this Proclamation is not in force, shall be guilty of an offence, and liable on conviction to the penalties prescribed therefor: Provided that a person charged under this section shall be discharged if he proves to the satisfaction of the court that he has had no reasonable opportunity of registering the motor vehicle or trailer or of taking out a licence in respect of the use of the motor vehicle or trailer in accordance with this Proclamation and that the motor vehicle or trailer was being driven or drawn, as the case may be, for the purpose of being registered or of taking out a licence, or for the purpose of taking it to a garage or workshop, or is being tested on the road or delivered to the owner after repair, adjustment or alteration by such garage or workshop, if such use of the motor vehicle is reasonably necessary for the purpose of repair, adjusting or altering such motor vehicle or trailer so as to make it comply with the requirements of this Proclamation, precedent to which a licence may not be issued or reinstated.

Operation
of a motor
vehicle or
trailer
which is not
licensed.

CHAPTER II.

LICENSING OF DRIVERS OF MOTOR VEHICLES.

Definitions. 17. For the purpose of this Chapter, unless the context otherwise requires—

“light motor vehicle” means a motor vehicle which is not a motor cycle and which is designed or constructed for the conveyance of not more than seven persons, inclusive of the driver thereof, and also includes any motor vehicle designed or intended for the conveyance of goods wholly on its own structure, provided that the combined weight of such motor vehicle and of the rated loading capacity does not exceed 6,000 lb. and that the overall width of such motor vehicle does not exceed 6 ft., and includes a “light motor vehicle” as defined above drawing a trailer, provided the combined weight of such trailer and of the rated loading capacity of such trailer does not exceed one-third of the combined weight of the light motor vehicle drawing such trailer and the rated loading capacity thereof;

“heavy motor vehicle” means any motor vehicle which is not a motor cycle or a light motor vehicle and includes any motor vehicle drawing a trailer if the weight of such motor vehicle, plus the weight of the trailer, plus the rated loading capacity of both such motor vehicle and trailer, exceeds 8,000 lb.;

“motor cycle” means a motor vehicle having not more than three wheels which is steered by means of a handle-bar or tiller;

“electric vehicle” means a motor vehicle which does not run on rails and is propelled by electrical power.

**Licensing
of drivers
of motor
vehicles.**

18. (1) Subject to the provisions of subsection (2) of section *twenty*, no person shall drive a motor vehicle upon a public road unless he be licensed in the prescribed manner. No person shall employ or permit any other person to drive a motor vehicle upon a public road unless that other person be so licensed. A person whose licence has been suspended or cancelled under this Proclamation shall be deemed for the purpose thereof to be unlicensed. The holder of a licence to drive a motor vehicle shall not allow such licence to be used by any other person.

(2) No driver's licence shall be issued to any person unless such person—

(a) is able to understand all traffic signs, is fully conversant with the contents of the Highway Code when such Code shall have been promulgated by the High Commissioner and is competent to drive and control, without danger to and with due consideration for other users of the road, a motor car, a motor cycle or any other vehicle according as the application is for a licence to drive a light motor vehicle, a heavy motor vehicle, a motor cycle or an electric vehicle; and

(b) is not disqualified under the provisions of this Proclamation from holding or obtaining a licence;

(c) is of over the age of seventeen years;

(d) is not disqualified in any outside territory from holding or obtaining a licence;

(e) does not already hold a similar licence under this Proclamation;

(f) has not had his licence suspended or cancelled in any outside territory;

(g) is not addicted to the use of narcotic drugs, or the excessive use of intoxicating liquors;

(h) is not suffering from any physical or other defects which in the opinion of the examiner would render such proposed licensee incapable of effectively driving and controlling a motor vehicle without endangering the public safety.

(3) Any person who contravenes any provision of sub-section (1) of this section shall be guilty of an offence.

19. If an applicant is suffering from any physical or other defect which in the opinion of the examiner would render such applicant incapable of effectively driving or controlling a motor vehicle without endangering the public safety, the licensing authority shall refuse to grant the licence: Provided that—

Licences limited to driving certain classes or designs of vehicles.

(a) a licence limited to driving an invalid carriage may be granted to the applicant if the licensing authority is satisfied that he is fit to drive such a carriage;

(b) the applicant may, except in the case of such diseases and disabilities as may be prescribed, on payment of the prescribed fee, claim to be subjected to a test as to

his fitness or ability to drive a motor vehicle of any such class or description as he would be authorised by the licence to drive, and, if he passes the prescribed test and is not otherwise disqualified, the licence shall not be refused by reason only of the provisions of this section, so, however, that if the test proves his fitness to drive vehicles of a particular construction or design, the licence shall be limited to the driving of such vehicles, and such limitation shall be endorsed upon the the licence.

Procedure
in obtaining
driver's
licence.

20. (1) Prior to obtaining a driver's licence every applicant for such licence shall—

- (a) obtain a provisional licence;
- (b) obtain a certificate of competence.

(2) A provisional licence shall, on payment of a fee of two shillings in the case of a motor cycle and five shillings in the case of any other motor vehicle, be issued by the registering authority to any person having attained the age of seventeen years who is not suffering from any such physical or other defect as is referred to in sub-section (2) of section *eighteen*, and can answer such questions pertaining to the use of the road as are prescribed by regulation. Such licence shall, subject to the provisions of sub-section (3) of this section, entitle the holder to drive for a period not exceeding three months.

Applications for provisional licences hereunder shall be made to the registering authority in whose area the applicant resides, or if he has no residence in the Territory to any such registering authority.

(3) Except in the case of a motor cycle without passenger accommodation other than a pillion seat, no person to whom a provisional licence has been issued shall drive any motor vehicle upon a public road during the currency of such licence except under the personal supervision of a person who is the holder of a licence to drive such vehicle, and has held such licence for a period of not less than two years.

(4) No person to whom a provisional licence has been issued shall drive a motor vehicle upon a public road during the currency of such a licence unless such motor vehicle bears such distinguishing mark or marks as may be prescribed.

(5) On application to the registering authority which issued the provisional licence under sub-section (2) of this section such authority shall name an examiner or examiners to test the competence of the applicant for a driver's licence.

(6) Every applicant for a driver's licence shall produce to the examiner or examiners a current provisional licence upon which the examiner or examiners shall endorse the date or dates of examination. If an examiner does not consider an applicant competent he shall endorse the provisional licence accordingly and shall fix a date, not more than thirty days later, prior to which the applicant may not be re-examined. Such examiner or examiners shall, if satisfied that the applicant for any particular licence suffers from no such disqualification as is set out in sub-section (2) of section *eighteen* and satisfies the requirements set out therein, grant a certificate of competence in the prescribed form, upon production of which, either by post or otherwise, to the registering authority who named such examiner or examiners and upon payment of a fee of ten shillings in the case of a motor cycle and twenty shillings in the case of any other motor vehicle, there shall be issued to the applicant a licence which shall not require renewal but shall be subject to the provisions of this Proclamation relative to suspension, endorsement or cancellation.

(7) Such licence while in force shall entitle the owner thereof to drive throughout the Territory a vehicle or vehicles of the class to which the licence refers, but none other.

(8) In all cases where a certificate of competence is granted, the provisional licence, endorsed as provided for in this section, shall be retained by the registering authority.

21. (1) For the purpose of licensing drivers under this Proclamation the Resident Commissioner shall have power to appoint from time to time (and to delegate such power of appointment to any local authority in respect of its own area of jurisdiction) one or more persons at such centres and at such times as he may deem expedient to test the competency of applicants for driver's licences.

Appoint-
ment of
examiners.

(2) The Resident Commissioner may at any time revoke any appointment so made by him under this section and the authority to conduct tests shall thereupon cease.

(3) There shall be payable to the registering authority by every person examined as to competency to drive a motor vehicle a fee of five shillings.

(4) Examiners may be paid by any local authority to whom power of appointment has been delegated in terms of sub-section (1) of this section at a fixed salary or at such fees per hour of time devoted to examinations of persons applying for certificates of competence as it may decide.

(5) It shall be the duty of the registering authority to keep in the prescribed form a register of all persons licensed under the provisions of this Chapter.

Offences.

22. Any person who contravenes the provisions of sub-section (3) or sub-section (4) of section *twenty* shall be guilty of an offence.

Exemptions with regard to persons having had driving experience in outside territory or elsewhere.

23. Anything to the contrary in this Proclamation notwithstanding, if a registering authority is satisfied that an applicant for a driver's licence has had previous experience of driving a light motor vehicle, a heavy motor vehicle, a motor cycle or an electric vehicle, as the case may be, in any outside territory or elsewhere, such registering authority may issue to such applicant a driver's licence in terms of this Proclamation without requiring the applicant to obtain a provisional licence and undergo a test, or, alternatively, without requiring the applicant to obtain a provisional licence: Provided that nothing herein contained shall be construed as authorising any such person to drive any motor vehicle before taking out an appropriate licence under section *eighteen*, and provided further that the provisions of this section shall not apply to persons who are exempted under sub-section (6) of section *thirty-one* from taking out a driver's licence.

Disqualification in cases of disease or other physical disability.

24. (1) If it appears to a registering authority that there is reason to believe that any person who holds a licence granted under this Chapter is suffering from a disease or physical disability likely to cause a motor vehicle driven by him, being a motor vehicle of any such class or description as he is authorised by the licence to drive, to be a source of danger to the public, and if on enquiry into the matter the registering authority is satisfied that the licence holder is suffering from such

disease or disability as aforesaid, then, whether or not the licence holder so suffering as aforesaid has previously passed a test under paragraph (b) of section *nineteen* the registering authority shall, after giving to the licence holder notice of the intention to do so, report the matter to the Resident Commissioner.

(2) Any certificate or licence granted under the provisions of this Chapter may be cancelled by the Resident Commissioner upon proof to his satisfaction that the holder of the licence or certificate is no longer, owing to physical or other deformity, a fit and proper person to hold a licence: Provided that the licence holder may, except in the case of such diseases and disabilities as may be prescribed, claim to be subjected to a test as to his fitness or ability to drive a motor vehicle and if he passes the prescribed test the licence shall not be revoked.

(3) Notwithstanding the provisions of the last preceding sub-section the Resident Commissioner may, if the physical or other defect or deformity from which the licence holder is suffering is such as would have entitled him to be granted a licence limited to the driving of an invalid carriage or of a vehicle of a particular construction or design in terms of section *nineteen*, order that his licence be not revoked, but that such limitation be endorsed thereon, and the licence holder shall thereafter not be entitled to drive any other type of vehicle than he is authorised by such endorsed licence to drive.

(4) Any person whose licence has been revoked in terms of sub-section (2) of this section shall be entitled to apply for a new licence in terms of sections *eighteen*, *nineteen* and *twenty*, if at any time after such revocation of a licence he advances sufficient proof to the appropriate registering authority that he is wholly cured of such physical or other defect or deformity.

(5) If any person is aggrieved by the refusal of the registering authority to grant a licence or by the revocation of a licence under this section, he may, after giving to the authority notice of his intention to do so, appeal to the High Court, and on any such appeal the court may make such order as it thinks fit, and any order so made shall be binding on the registering authority and the Resident Commissioner.

Disqualifi-
cation of
drivers
licensed
elsewhere.

25. The provisions of section *twenty-four* shall apply *mutatis mutandis* to the holders of driver's licences granted under any special law in any outside territory or elsewhere and recognised in the Territory: Provided that the Resident Commissioner or the High Court, as the case may be, may not cancel such licences but may declare such licences to be invalid in the Territory and endorse such licences accordingly.

Police
officer may
demand to
see licence.

26. Subject to the provisions of the two provisos to sub-section (1) of section *fourteen* a police officer or any inspector of licences may call upon the driver of a motor vehicle to stop and may demand from any owner the production of all licences in respect of such motor vehicle or trailer in force at the date of demand or from any person driving a motor car or motor cycle with sidecar or other motor vehicle the production of a licence under this Proclamation authorising the driving of such vehicle; and any person who fails, when demand is lawfully made, to produce any such licence at a police station within seven days shall be guilty of an offence. It shall be the duty of the officer in charge of the police station where such licence is produced forthwith to notify the police or registering authority (as the case may be) of the area or district where such demand was made that such demand has been complied with, and the officer in charge shall hand to the holder of the licence a certificate stating that such licence has been produced as required.

Offence
committed
in certain
cases of
refusal.

27. The driver of a motor vehicle who, if so required by a police officer or by any inspector of licences—

(a) refuses or fails to stop when called upon to do so;

(b) refuses or fails to give his name and address or gives a false name and address, shall be guilty of an offence.

Offences.

28. (1) Any applicant for a driver's licence or for a provisional licence who shall knowingly give false or inaccurate information to the examiner or to the registering authority shall be guilty of an offence, and any court convicting him of such offence may declare such licence invalid and may further make such order regarding the issue of a new licence as it may deem fit.

2. (a) Whenever a licenced driver is charged with any contravention of this Proclamation he shall produce his licence to the court at the time of the hearing of the charge.

(b) If such driver fails without reasonable excuse to produce his licence as aforesaid he shall be guilty of an offence.

(3) (a) The owner of any motor vehicle shall give such information as he may be required by a police officer or inspector of licences to give as to the identity of the driver of that vehicle at any time and during any period, and if he fails to do so he shall be guilty of an offence, unless he shows to the satisfaction of the court that he did not know and could not with reasonable diligence have ascertained who the driver was.

(b) Any person shall, if required by a police officer or an inspector of licences, give any information which it is in his power to give as to the identity of the driver of any motor vehicle at any time and during any period, and if he fails to do so he shall be guilty of an offence.

29.(1) Any court before which a person is convicted of an offence against this Proclamation or of an offence under any other law or at common law in respect of circumstances relating to the driving of a motor vehicle (other than a first or second offence consisting solely of exceeding any limit of speed under this Proclamation) may—

(a) if the person convicted holds a licence under this Proclamation entitling him to drive a motor vehicle, suspend that licence or cancel such licence, and,

(b) if the person convicted does not hold a licence under this Proclamation entitling him to drive a motor vehicle, declare him to be disqualified from obtaining such a licence;

(c) if the person convicted holds a licence under this Proclamation, entitling him to drive a motor vehicle, cause particulars of the conviction and of any order of the court under this section to be endorsed thereon.

(2) Any person who, during any period for which he is disqualified from driving a motor vehicle by virtue of his licence having been cancelled or suspended or by virtue of an order of court debarring him from obtaining

Suspension
of licence
and
disquali-
fication from
obtaining
or renewing
the same.

a licence, either drives a motor vehicle or applies for a licence shall be guilty of an offence, and no registering authority shall issue to any such applicant a provisional licence or driver's licence, nor shall such applicant be submitted to a test as to his competency to drive a motor vehicle.

(3) Whenever any licence to drive a motor vehicle is endorsed, suspended or cancelled under this Proclamation, such endorsement, suspension or cancellation shall apply to every other driver's licence issued to the licensee.

(4) Any person so convicted shall be guilty of a further offence against this Proclamation if he fails to produce his licence to the court for the purpose of its endorsement under this section within seven days after having been ordered to produce the same.

(5) A licence suspended by the court shall, during the term of suspension, be of no effect, and any person whose licence is suspended or who is declared by the Court to be disqualified from obtaining a licence shall during the period of suspension or disqualification be disqualified from obtaining a licence entitling him to drive any motor vehicle.

(6) An order of court under this section cancelling or suspending or endorsing a licence shall be deemed to be part of the sentence passed upon any person convicted as aforesaid, and any court having jurisdiction to hear and determine an appeal against the conviction and sentence may confirm or set aside the order or reduce the period mentioned therein: Provided that where an appeal is brought against a conviction or sentence of a court such court may, in its discretion, direct that any order of suspension or cancellation or endorsement made under the provisions of this section be not enforced until the appeal has been heard and determined.

(7) Where a licence has been cancelled, the certificate of competence, if any, issued under this Proclamation to the holder of such licence shall be *ipso facto* cancelled.

(8) Where all endorsements are cancelled, the holder of the licence upon which such endorsements were made shall be entitled upon application to the registering authority which issued the licence, and upon payment of a fee of five shillings, to have issued to him at any time a new licence free from endorsement.

30. (1) A person who by virtue of a conviction or order of a competent court under this Proclamation is disqualified from holding or obtaining a licence may at any time after the expiration of five years, when such licence has been cancelled, or in any other case after the expiration of six months from the date of the conviction or order of the said court and thereafter from time to time, apply to the court before which he was convicted or by which the order was made, to remove the disqualification, and on any such application the court may as it thinks proper having regard to the character of the person disqualified and his conduct subsequent to the conviction or order, the nature of the offence and any other circumstances of the case, either by order remove the disqualifications as from such date as may be specified in the order or refuse the application: Provided that where an application under this section is refused, a further application thereunder shall not be entertained if made within three months after the date of the refusal.

Appeal to have disqualification removed.

(2) Notwithstanding anything in the preceding sub-section contained—

(a) every endorsement made under this Proclamation on any licence shall be deemed to be *ipso facto* cancelled after the expiry of a continuous period of three years from the date upon which such endorsement was made during the said period. If any such other endorsement be made within the said period the earlier endorsement or endorsements shall continue to operate until a full continuous period of three years shall have elapsed without further endorsement;

(b) where all endorsements are cancelled by the operation of this sub-section the holder of any licence upon which such endorsements were made shall be entitled upon application to the registering authority which issued the licence, and upon payment of a fee of five shillings, to have issued to him at any time a new licence free from endorsement.

EXEMPTION OF MOTOR VEHICLES AND DRIVERS LICENSED ELSEWHERE.

31. (1) The holder of a current authorisation to use a motor vehicle or trailer granted in any outside territory shall be entitled to use such motor vehicle or trailer within the Bechuana-

Drivers and owners resident elsewhere.

land Protectorate during the currency of such authorisation, without being required to register or procure a licence in the Bechuanaland Protectorate in respect of such motor vehicle or trailer, provided that there shall be at the back of such vehicle displayed in addition to the identification marks of the territory where it was last registered the international distinguishing mark allotted to such territory in terms of the International Convention: Provided that the provisions of this sub-section shall not apply if the owner of such motor vehicle or trailer was permanently resident in the Bechuanaland Protectorate on the date on which such authorisation to use was issued in such outside territory.

(2) Any person who is in lawful possession of an International Certificate for motor vehicles issued to him in any country other than the Bechuanaland Protectorate, in terms of the International Convention, and who was not permanently resident in the Bechuanaland Protectorate when such International Certificate was issued, shall be entitled to use the motor vehicle to which such Certificate refers within the Bechuanaland Protectorate during the currency of such Certificate, without registering or taking out a licence for such vehicle as long as it complies with the conditions laid down in Article 3 of the said Convention. The provisions of this sub-section shall not apply to any person unless he shall on entering the Bechuanaland Protectorate submit his International Certificate, within twenty-four hours of entering the Territory, to a police officer to endorse the Certificate and affix his date stamp thereon.

(3) If a motor vehicle is brought into the Bechuanaland Protectorate for the purpose of being used by the owner during a visit, and the owner of such motor vehicle does not hold an International Certificate for it, as provided for in sub-section (2) of section *thirty-one*, nor a current authorisation to use such vehicle issued in any outside territory, then such owner may use such motor vehicle in the Bechuanaland Protectorate for a period or periods not exceeding in the aggregate ninety days, provided that such owner shall, on first entering the Bechuanaland Protectorate, register temporarily such vehicle at the earliest opportunity and in any case within three days of entering the Bechuanaland Protectorate.

(4) Subject to such proof as may be required, the registering authority shall assign to each such vehicle a letter or combination of letters as may be prescribed, as well as a number, and also issue to such owner a registration certificate and clearance disc as may be prescribed. The fee payable for such temporary registration shall be £1. and the owner of the motor vehicle registered in this manner shall be permitted to use such motor vehicle in the Bechuanaland Protectorate for a period or periods not exceeding in the aggregate ninety days, without paying licence fees. If such owner uses such motor vehicle for a period or periods in excess of ninety days, then such owner shall be subject to the provisions of this Proclamation in respect of registration and licensing.

(5) (a) When a motor vehicle or trailer to which the provisions of the two last preceding sub-sections apply is sold or otherwise disposed of, the person so disposing of such motor vehicle or trailer shall notify the registering authority of the area in which such sale or other disposal takes place, and the new owner shall comply with the provisions of this Proclamation in respect of registration and licensing such motor vehicles or trailers.

(b) Any person who fails to comply with the provisions of this sub-section shall be guilty of an offence.

(6) The provisions of this Chapter, governing the licensing of drivers, shall not apply to any person who is duly licensed under any special law relative to motor vehicles in force in any outside territory, or to any person who is in lawful possession of a current International Driving Permit issued to him in any country other than the Bechuanaland Protectorate, in terms of the International Convention: Provided always that the licence or permit of any such person shall be subject to the provisions of this Proclamation, relative to suspension, endorsement and cancellation.

(7) Any person who displays on a motor vehicle or trailer registered under the provisions of this Proclamation an International Distinguishing Mark other than that allotted to the Bechuanaland Protectorate under the International Convention, shall be guilty of an offence.

CHAPTER III.

SAFETY ON PUBLIC ROADS.

Warning
signs.

32. (1) Any local authority acting within its area of jurisdiction shall cause or permit to be erected or displayed, for the guidance of all persons using public roads, signals, warning sign posts, direction posts, signs or devices (hereinafter referred to as warning signs) of such size, colour and nature as may be prescribed and at such places as it may decide or as the Resident Commissioner may specially direct, and may exercise all necessary powers for the purpose: Provided that warning signs for speed limit, prohibition of traffic, danger or caution signs and all other warning signs shall as to design, size and colour be those respectively prescribed by regulation, and provided further that where the Resident Commissioner is satisfied that circumstances or special danger exist he may authorise the erection of special signs.

(2) No warning signs, other than such as comply with the provisions of this Proclamation or of the regulations made thereunder shall be erected, placed or displayed upon or adjacent to any public road or at any place. No such warning signs may be so erected, placed or displayed by any person other than one authorised by the local authority or the Resident Commissioner, as the case may be.

(3) Any local authority acting within its area of jurisdiction, or the Resident Commissioner in respect of any public roads, may by notice in writing require the owner or occupier of any land upon which any warning or other sign is erected, placed or displayed to remove it if it does not comply with the provisions of this Proclamation or the regulations thereunder, and if any person fails to comply with such a notice the local authority or any person duly authorised by the Resident Commissioner, as the case may be, may enter and effect the removal, doing as little damage as may be, and may recover from the person so in default the expenses incurred in so acting.

(4) No person or persons may erect or maintain any advertising or other sign not authorised by this Proclamation on any road or land adjacent to or visible from any public road without the authority of the Resident Commissioner or an officer authorised by him.

(5) Any person who wilfully or negligently mutilates, defaces or in any way interferes with any warning sign or other sign erected under this Proclamation shall be guilty of an offence and shall be liable on conviction to a fine not exceeding fifty pounds or to imprisonment for a period not exceeding three months, or to both such fine and imprisonment.

ACCIDENTS.

33. (1) Whenever owing to the presence of any motor vehicle an accident occurs whereby damage or injury is caused—

Duties of
drivers in
case of
accident.

(a) to any person; or

(b) to any animal drawing any vehicle or carrying or being led by or in the immediate charge of any person; or

(c) to any vehicle or other property, it shall be the duty of the driver of the motor vehicle to stop such vehicle if it is in motion and, in any case, if required to do so by any person, to give his name and address, the name and address of the owner, and the mark and number affixed to or painted on the motor vehicle.

(2) In any such accident which, to the knowledge of the driver, involves injury to any person or animal, it shall be the duty of the driver of the motor vehicle to render all possible assistance, and in any such accident involving injury to any person, if the accident has not already been reported to a police officer, the driver shall forthwith report the same at the nearest police station, and in any such accident involving injury to any animal or property, the driver shall make every reasonable endeavour to acquaint the owner of such animal or property thereof.

(3) In this connection the expression "animal" means any horse, cattle, ass, mule, sheep, pig, goat or dog.

(4) Any person who fails to comply with any provision of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five hundred pounds or to imprisonment for a period not exceeding two years, or to both such fine and imprisonment. In addition to such penalty the court may either suspend his driver's licence or cancel such licence.

SPEED LIMITS.

Limits on rates of speed.

34. (1) The High Commissioner may make regulations imposing for the better preservation of public roads, or for the safety of the public, limits of speed for any vehicle—

(a) at bridges, dangerous corners, crossroads and precipitous places;

(b) within specially defined areas.

(2) Any person who contravenes any provision of any regulation made under sub-section (1) shall be liable on conviction to the penalties prescribed for an offence against this Proclamation.

(3) No person shall be convicted of a contravention of any provisions of any such regulations as aforesaid—

(a) unless notice in writing of the intention to report the matter with a view to prosecution has been given to him or to the registered owner of the motor vehicle by a police officer, traffic officer or inspector of licences within seven days after the date on which the offence was alleged to have been committed;

(b) upon the evidence of one person only as to the rate of speed;

(c) upon evidence not supported by measurements as to the time and distance.

(4) No person shall be convicted of a contravention of any such regulations as aforesaid in regard to speed limits at bridges, dangerous corners, crossroads or precipitous places or in specially defined areas, unless the court be satisfied that the local authority or the Resident Commissioner (as the case may be) has caused to be affixed and kept affixed and legible at such bridges, dangerous corners, crossroads, or precipitous places or at or within the limits of such specially defined areas, in a reasonably conspicuous manner and place, notices or signs warning the public of the maximum rate of speed aforesaid thereat or therein, and signs denoting the termination of an area which is subject to the restrictions of speed in terms of this section.

(5) Any person who aids, abets, counsels or procures any person who is employed by him to drive, or is subject to his orders in driving a motor vehicle, on a public road to commit an offence under this section, shall be liable to a fine not exceeding fifty pounds, and

in the case of a second or subsequent conviction to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding three months, or to both such fine and imprisonment.

(6) If a person who employs other persons to drive motor vehicles on roads, publishes or issues any time table or schedule or gives any directions under which any journey or stage or part of any journey is to be completed within some specified time, and it is not practicable in the circumstances of the case for that journey or that stage or part of the journey to be completed in the specified time without an infringement of the provisions of this section, the publication or issue of the said time table or schedule or the giving of the directions may be produced as *prima facie* evidence that the employer procured or incited the person or persons employed by him to drive the motor vehicle to commit an offence under this section.

RECKLESS DRIVING.

35. (1) Notwithstanding anything in the last preceding section contained, any person who upon a public road—

(a) drives a motor vehicle—

(i) recklessly or negligently; or

(ii) at a speed or in a manner which is dangerous to the public, regard being had to all the circumstances of the case, including the nature, condition and use of the road and to the amount of traffic which is actually at the time or might reasonably be expected to be thereon; or

(iii) negligently, and thereby injures any person or damages any property, or

(b) when driving or attempting to drive, or when in charge of, a motor vehicle is under the influence of drink or a drug to such an extent as to be incapable of having the proper control of the vehicle,

shall be guilty of an offence, and liable on conviction to a fine not exceeding five hundred pounds, or in default of payment to imprisonment for a period not exceeding two years, or to such imprisonment without the option of a fine. In addition to the above penalty the court may endorse the licence or suspend the licence or cancel the licence, or, if such person does not hold a licence, disqualify him from obtaining a licence.

(2) A police officer may arrest without warrant the driver of any motor vehicle who, within his view, commits an offence under this section, if such driver fails on demand to give his name and address. Any such driver who fails on demand to give his name and address in the circumstances in this section described, or who gives a false name or false address, shall be guilty of an offence against this Proclamation.

(3) If any person has reasonable grounds for believing that the driver of any motor vehicle has committed an offence under this section, he may, within a reasonable time after the occurrence of the event which gave rise to such belief and in the absence of a police officer, require any person who is or was in any way connected with such motor vehicle at the time of such occurrence, to furnish him with his name and address, and if such last-mentioned person fails to comply with such requirement or furnishes a false name or false address he shall be guilty of an offence.

Duty of persons in or on vehicle to give information to police, etc.

36. (1) Every person on or within a motor vehicle upon a public road who fails upon the demand of a police officer or of an inspector of licences to give to him such information as he is able as to the name and address of the driver of the motor vehicle and of the owner thereof, or who knowingly gives false or misleading information, shall be guilty of an offence.

(2) The owner of any motor vehicle who wilfully refuses upon demand of a police officer or of an inspector of licences to supply him with the name and address of any person who was driving or in charge of his motor vehicle upon a public road at any particular date and time shall be guilty of an offence.

Vehicles meeting.

37. Drivers of motor vehicles proceeding in opposite directions shall pass each other to the left, each keeping to his left side, and each giving to the other at least one-half of the main travelled portion of the roadway as nearly as possible.

Marking course to be followed by vehicles.

38. (1) The Resident Commissioner or any local authority acting within its area of jurisdiction may indicate in a clear manner, by white lines, buttons, markers or other direction signs at an intersection or along a road the course to be followed by motor vehicles.

Any driver of a motor vehicle who shall fail to travel in the manner indicated shall be guilty of an offence.

(2) Any person who drives a vehicle, rides or drives an animal or in any way propels a vehicle on the right or off side portion of a public road or bridge which has been divided into two or more traffic lanes by means of islands, posts or other permanent structures, shall be guilty of an offence: Provided that the provisions of this sub-section shall not apply if the left or near side traffic lane is permanently or temporarily obstructed.

39. Every driver of a motor vehicle shall on approaching or overtaking and passing any animal or animals being driven along a public road, or being ridden or driven and guided by reins, drive slowly until past such animals or animal, and, if requested to do so by the person apparently in charge of the same, shall stop until way has been made for the passage of the motor vehicle, or the animals have been driven past it: Provided that the driver having stopped at the request of such person may, if the latter does not use reasonable diligence in making way for the motor vehicle or in driving the animal or animals past it, as the case may be, restart the motor vehicle and proceed with all reasonable care past such animal or animals.

40. (1) Any person who without reasonable cause or without the knowledge or consent of the owner or person in lawful charge of a motor vehicle—

(a) sets the machinery thereof in motion; or

(b) places a motor vehicle in gear; or

(c) in any way interferes with the machinery, accessories or parts of any such motor vehicle, or enters such vehicle,

shall be guilty of an offence: Provided that this sub-section shall not apply to any police officer or inspector of licences or traffic officer when exercising the powers or carrying out the duties vested in or imposed upon him by this Proclamation or any regulation thereunder or by any other law.

(2) Any person who, without the consent of the owner or person in lawful charge of any motor vehicle, rides in or drives the same, or any person who procures the use or hire

Passing animals.

Prohibition of use of motor vehicle and of interfering with machinery thereof without consent of the owner.

of any motor vehicle by fraud or misrepresentation, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two hundred pounds, or in default of payment to imprisonment for a period not exceeding twelve months, or to such imprisonment without the option of a fine.

(3) Any person who shall individually, or in association with one or more others, willfully break, injure, cut, tamper with or remove any part or parts of any motor vehicle upon a public road for the purpose of injuring, defacing, or destroying such vehicle or temporarily or permanently preventing its useful operation, or for any purpose against the will or consent of the owner of such vehicle upon a public road for the purpose of wilfully or maliciously interfere with or prevent the running or operation of such vehicle, or who shall wilfully or maliciously throw any article at any such vehicle or at any such person in such vehicle, and thereby shall or might have been likely to injure or damage the motor vehicle or the driver or passengers or any property therein, shall be guilty of an offence.

Forging,
etc., of
identification marks
or licences.

41. (1) Any person who (either in writing, drawing or in any other manner) fabricates or alters, defaces, mutilates or adds anything to any mark or number affixed to, or painted on a vehicle under this Proclamation, or who fabricates, forges, or, with intent to deceive, alters, defaces, mutilates or adds anything to any certificate or licence issued under this Proclamation, or who, knowing that the mark or number so affixed or painted on a vehicle has been fabricated or altered, defaced, mutilated or that something has been added thereto unlawfully, uses that vehicle or lends or permits the same to be used by any other person, or knowing that a certificate or licence has been so fabricated, forged, altered, defaced, or mutilated, or that something has been added thereto unlawfully, displays that certificate or licence or produces it to any person or lends or permits the same to be used by any other person, and any person who impersonates any particular licensed driver, shall be guilty of an offence.

(2) Any person who knowingly buys, sells, receives, disposes or conceals or has in his possession any vehicle from which any distinctive mark or identification mark has been

removed, defaced, covered, altered or destroyed, for the purpose of concealment or misrepresenting the identity of the said vehicle, shall be guilty of an offence.

42. (1) The Resident Commissioner and every local authority acting within its area of jurisdiction may by such warning sign as is described in section *thirty-two* prohibit or restrict the use of any class of vehicles upon any public road or part thereof. Any person who drives any vehicle upon a public road or part thereof in contravention of any such prohibition or restriction shall be guilty of an offence: Provided that no alteration in any district or area of any local authority in respect of speed limit or prohibition or restriction of use of motor vehicles or other vehicle upon any such road shall be in force until the expiry of one week after notice to that effect has been given by advertisement in a newspaper circulating in that area or district: Provided, however, that in case of emergency such notice need not be given.

Powers of authorities to restrict or prohibit use of road for motor and other traffic.

(2) In addition to the powers elsewhere conferred by this Proclamation, it shall be lawful for the Resident Commissioner, by Notice in the *Gazette* to prohibit or restrict the use upon any public road or part thereof, of any vehicle which has not all its wheels fitted with pneumatic or solid rubber tyres. Any person who drives a vehicle in contravention of any such prohibition or restriction shall be guilty of an offence. No person shall be convicted of a contravention of this subsection unless the court be satisfied that the Resident Commissioner has caused to be affixed and kept affixed and legible at each end of the limits prescribed, in a conspicuous place on or near the public road, notices warning the public of the prohibition or restriction.

(3) The Resident Commissioner may, by Notice in the *Gazette*, declare any public road or portion thereof in the Territory to be a "motor road", and thereafter such road shall not be used for the purpose of driving along livestock not harnessed to a vehicle nor by any vehicle whatsoever which has not all its wheels fitted with rubber or pneumatic tyres: Provided that a special exemption may be granted by the Resident Commissioner who shall issue the same in writing under his

hand and for a stated period. Any person who drives livestock or a vehicle upon such road or portion thereof in contravention of any Notice published as aforesaid shall be guilty of an offence.

The provisions of this section shall not apply to vehicles specifically used on the road for the purpose of repairing or maintaining the same.

PROVISIONS TO BE OBSERVED BY ALL USERS
OF PUBLIC ROADS.

Application
of certain
provisions
to all
vehicles.

43. The provisions of sections *thirty-three, thirty-five, thirty-six, thirty-seven, thirty-eight* and *forty* of this Proclamation shall, in so far as they are applicable, apply *mutatis mutandis* to drivers of all vehicles, to all vehicles, and to all acts in relation to vehicles.

Prohibition
of
obstructing
roads.

44. (1) No driver of any vehicle shall park such vehicle or bring it to a standstill or abandon it on any public road in such a position as to cause obstruction or possible danger. No person shall abandon any vehicle on or in the vicinity of a public road and fail to take such steps as may be necessary to have such vehicle or the remains of such vehicle, removed within a reasonable time.

(2) If any such owner or person in charge of any vehicle fails to effect such removal then such vehicle shall be removed by the police, and the owner of such vehicle shall have no claim whatsoever against the police in respect of such removal or damage arising out of such removal.

Prohibition
of parking
vehicles
opposite
each other.

45. Where two vehicles are parked or otherwise stationary on opposite sides of the road, such vehicles shall be parked at a longitudinal distance of not less than fifty feet from each other: Provided that the provisions of this section shall not apply in areas where parking of vehicles is specially permitted or where suitable signs or markings indicate the positions in which vehicles are to be parked.

Traffic
signals
to be
obeyed.

46. The driver of any vehicle shall at all times obey the signals given by a police officer or traffic officer, and the signals given by authorised devices.

47. Every vehicle drawn by animals, where the number of animals exceeds two and where each one of such animals is not controlled by reins held and controlled by the driver, shall be under the immediate personal supervision of not less than two attendants, of which one must proceed on foot at the head of the team, and the one must have immediate access to and control of the brake.

Two persons to be in charge of animal-drawn vehicles in certain circumstances.

48. Every animal-drawn vehicle shall be equipped with an effective braking device controllable by the driver. Breaking devices not controlled by the driver are permitted provided that the vehicle is attended by more than one person and provided that one of these persons has at all times, while the vehicle is in motion, ready access to such braking device.

Brakes required on animal-drawn vehicles.

49. (1) During the period half an hour after sunset to half an hour before sunrise, and at such other times when, owing to fog or other circumstances, visibility is diminished to 150 feet or less, every vehicle upon a public road shall display such lights as may be prescribed for such vehicles by regulation.

Lights, hooter and silencer required to be displayed or carried on motor vehicles.

(2) Every driver of a motor vehicle shall keep thereon in such position as is prescribed by regulation a hooter or horn capable of giving audible and sufficient warning of the approach or position of the vehicle.

(3) Every motor vehicle shall be provided with an efficient silencer of approved type which shall be in operation at all times.

(4) Any driver of a motor vehicle who fails to comply with any of the provisions of this section shall be guilty of an offence.

50. (1) Persons shall not walk along the carriageway of any road if a suitable sidewalk is available. Persons walking on the carriageway shall walk on the right of such carriageway.

Control of pedestrians.

(2) All persons shall obey all signals or instructions given by police or traffic officials, and signals given by authorised automatic signalling devices.

(3) No person shall walk, stand, sit, lie, or otherwise behave on any public road in such a manner as to cause a danger to himself or to any other user of the road, or as to cause an obstruction.

CHAPTER IV.

GENERAL.

Offences.

51. Any person who contravenes any of the provisions of section *forty-three, forty-four, forty-five, forty-six, forty-seven, forty-eight, forty-nine and fifty* shall be guilty of an offence.

Penalties.

52. (1) An person convicted of an offence against this Proclamation or the regulations thereunder shall, if no penalty is specially provided therefor, be liable—

(a) in respect of a first offence to a fine not exceeding ten pounds;

(b) in respect of a second or subsequent offence to a fine not exceeding twenty pounds or to imprisonment without the option of a fine for a period not exceeding three months, or to both such fine and imprisonment.

(2) In default of payment of any fine imposed under this Proclamation or the regulations thereunder the offender may be sentenced, in addition to any other period of imprisonment which may be lawfully imposed, to a period of imprisonment—

(i) in the case mentioned in paragraph (a) of sub-section (1) not exceeding one month;

(ii) in the case mentioned in paragraph (b) of sub-section (1) not exceeding three months.

Highway Code to be promulgated.

53. (1) The High Commissioner may authorise the use of a Code (in this section referred to as the "Highway Code") comprising such directions as appear to him to be proper for the guidance of persons using roads, and may from time to time revise the Code by revoking, varying, amending or adding to the provisions thereof in such manner as he thinks fit.

(2) A failure on the part of any person to observe any provision of the Highway Code shall not of itself render that person liable to criminal proceedings of any kind, but any such failure may in any proceedings (whether civil or criminal, and including proceedings for an offence under this Proclamation) be relied upon by any party to the proceedings as tending to establish or to negative any liability which is in question in those proceedings.

54. (1) The High Commissioner may make regulations not inconsistent with the provisions of this Proclamation in respect of any matters which this Proclamation provides may be prescribed by regulation, and

Power to
make
regulations.

(a) providing generally for facilitating the identification of motor vehicles and trailers, and in particular for determining and regulating generally the size, shape and character of the identifying marks to be fixed under this Proclamation, and the mode in which they are to be fixed and to be rendered easily distinguishable, whether by night or by day, and with respect to the registration and licensing of cars, and the entry of particulars, including particulars of the ownership of the car, in the register and the giving of those particulars, and for making any particulars contained in the register available for use by the police, and for making the registration and licensing of a car void if the regulations as to registration and licensing are not complied with;

(b) with respect to the use of motor vehicles and trailers on public roads and their construction and the conditions under which they may be used;

(c) prescribing maximum rates of speed for motor vehicles, with power to differentiate between different classes of motor vehicles;

(d) prescribing the powers and duties of examiners and inspectors appointed in terms of the provisions of this Proclamation;

(e) matters relating to the insurance of motor vehicles;

(f) generally for the better carrying out of the objects and purposes of this Proclamation.

(2) The regulations may provide penalties for any contravention thereof or failure to comply therewith not exceeding the penalties mentioned in section *fifty-two* in respect of first, second or subsequent offences respectively.

55. The laws specified in the First Schedule to this Proclamation are hereby repealed but without prejudice to anything lawfully done under the provisions thereof.

Repeal of
laws.

Short title. 56. This Proclamation may be cited as the Bechuanaland Protectorate Motor Vehicle and Road Traffic Proclamation, 1947.

GOD SAVE THE KING.

Given under my Hand and Seal at Cape Town this Fifth day of April One thousand Nine hundred and Forty-seven.

E. BARING,
High Commissioner.

By Command of His Excellency
the High Commissioner.

A. G. T. CHAPLIN,
Acting Administrative Secretary.

FIRST SCHEDULE.

LAWS REPEALED.

No. and Year of Law.	Short Title.
Proclamation No. 10 of 1929	Motor Car (Bechuanaland Protectorate) Proclamation, 1929.
Proclamation No. 51 of 1931	Motor Car (Bechuanaland Protectorate) Proclamation 1929 Further Amending Proclamation, 1931.
Proclamation No. 29 of 1932	Motor Car (Bechuanaland Protectorate) Amendment Proclamation, 1932.
Proclamation No. 20 of 1937	Bechuanaland Protectorate Motor Car Further Amendment Proclamation, 1937.
Proclamation No. 37 of 1937	Further Amending the Motor Car (Bechuanaland Protectorate) Proclamation, 1929.
Proclamation No. 11 of 1938	Motor Car (Bechuanaland Protectorate) Amendment Proclamation, 1938.
Proclamation No. 3 of 1942	The Bechuanaland Protectorate Motor Car (Amendment) Proclamation, 1942.

SECOND SCHEDULE.

LICENCE FEES.

[Section 4 (2).]

	£	s.	d.
For a motor-cycle, without side-car.....	0	15	0
For a motor-cycle with side-car.....	1	2	6
For a motor-car other than a motor-cycle—			
Weighing 1 500 lb. or under.....	2	5	0
Weighing over 1,500 lb. and not exceeding 2,500 lb..	3	0	0
Weighing over 2,500 lb. and not exceeding 4,000 lb..	4	10	0
Weighing over 4,000 lb. and not exceeding 6,000 lb..	7	10	0
Weighing over 6,000 lb. and not exceeding 8,000 lb..	15	0	0
Weighing over 8,000 lb. and not exceeding 9,000 lb..	22	10	0
Weighing over 9,000 lb.....	27	10	0