

No. S 32

**ROAD TRAFFIC ACT
(CHAPTER 68)**

**ROAD TRAFFIC (BANDAR SERI BEGAWAN)
(PRIVATE PARKING PLACES) (AMENDMENT) RULES, 1999**

In exercise of the power conferred by subsection (1) of section 92 of the Road Traffic Act, the Bandar Seri Begawan Municipal Board, with the approval of the Motor Transport Licensing Authority, hereby makes the following Rules —

1. (1) These Rules may be cited as the Road Traffic (Bandar Seri Begawan) (Private Parking Places) (Amendment) Rules, 1999. Citation and commencement.

(2) These Rules shall come into force on 1st. August, 1999.

2. Rule 3(3) of the Road Traffic (Bandar Seri Begawan) (Private Parking Places) Rules, 1997 (hereinafter called the principal Rules) is amended by deleting "sub-rule (2) of rule 5" from the last line and substituting "rule 19(1)" therefor. Amendment of Rule 3.

3. Rule 4 of the principal Rules is amended by deleting "under" from the third line and substituting "render" therefor. Amendment of Rules 4.

4. The principal Rules are amended by deleting rule 5 and by substituting the following therefor — Amendment of Rules.

"Application for a licence to maintain or operate private parking place.

5. (1) An application for a licence shall be made in writing in the form set out in the First Schedule and shall be accompanied by a site and a detailed plan showing the complete layout and boundaries of any place sought by the applicant to be a licensed place.

(2) Such an application form shall, when completed, be signed —

(a) where the applicant is an individual, by the applicant or his duly appointed attorney;

(b) where the applicant is a corporation, by a director or the secretary thereof;

(c) where the applicant is a firm —

(i) by all the individuals who are partners or by their duly appointed attorneys and

and by a director or the secretary of all corporations which are partners; or

- (ii) by some individuals who is a partner or his attorney or a director or the secretary of some corporation which is a partner.

(3) Every signature under paragraph (2) shall be witnessed by a witness who shall also sign the application form.

Local authority may require applicant to furnish information.

6. At any time prior to the determination of an application under rule 5 the local authority may require the applicant to furnish further information in writing as the local authority may consider material to the application.

Form and conditions of licence.

7. A licence shall be in the form set out in the Second Schedule and, subject to these rules, shall be subject to such conditions as may in each several case be imposed by the local authority. Such conditions, if any, shall be endorsed on the back of the licence.

Licence fees.

8. No licence shall be issued except after the payment to the local authority of the appropriate fee specified in the Third Schedule.

Period of licence.

9. Every licence shall continue in force unless suspended, cancelled or revoked for a period of 12 months from the date of issue.

Licence not to be transferred.

10. No licensee shall transfer his licence to any other person.

Register of Licences

Register.

11. The local authority shall cause a register to be kept of all licences issued and shall enter in such register the number of the licence, the name of the licensee, the purpose for which the licence was granted, the location of the licensed place and the date of the issue and the expiry of the licence.

Display, production and surrender of licences

Licence to be displayed, produced and surrendered.

12. (1) Every licensee shall cause his licence to be exhibited in a conspicuous and accessible position on his licensed place.

(2) Every licensee shall at all reasonable times produce his licence if required to do so by the local authority or an authorised officer.

(3) Every licensee shall surrender his licence to the local authority upon the expiration of the period for which the licence is granted or on the cancellation of the licence.

Markings and signages in the open-air, basement and multistorey car parks

Markings and signages.

13. A licensee maintaining or operating enclosed parking areas, basement car parks or multistorey car parks shall install and maintain therein, to the satisfaction of the local authority, such conspicuous parking lot markings and directional signages.

Fire precautions at the basement and multistorey car parks

Fire-fighting equipment and escapes.

14. (1) A licensee maintaining or operating basement and/or multistorey car parks shall install and maintain therein, to the satisfaction of the local authority, such fire-fighting equipment, fire alarm, signs and such staircases and exits as the local authority may from time to time require.

(2) A licensee shall if directed by the local authority procure that every person employed in a licensed place shall be instructed in the use of such fire-fighting equipment and fire alarm.

(3) A licensee shall if directed by the local authority procure that every fire alarm required by the local authority to be maintained in a licensed place shall be tested once a week and that such tests shall be conducted in accordance with such directions as may be given by the local authority.

(4) Where lifts are provided in a place the licensee shall procure that such lifts shall be kept and maintained in accordance with the provisions of any written law relating to lifts and also to the satisfaction of the local authority.

(5) A licensee shall procure that all staircases, passages and landings in and exits from a licensed place shall be kept clear of all obstructions and that every door in a licensed place shall be so constructed and fitted as to be readily open.

(6) A licensee shall procure that in the absence of adequate natural lighting every part of a licensed place to which the public have access including all passageways shall be illuminated to the satisfaction of the local authority.

Maintenance of licensed premises

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| Licensed premises to be well maintained. | 15. (1) A licensee shall at all times keep the licensed place clean and maintained to the satisfaction of the local authority.

(2) A licensee shall also at all times maintain every part of the structure of any building, erection or room comprised in the licensed place in good order and repair. |
| Deposit of refuse etc. | 16. No licensee shall deposit or cause or permit any refuse, rubbish or filth to be deposited in or adjacent to a licensed place except in a refuse bin or other suitable receptacle used for that purpose. |
| Inspection. | 17. The Chairman or any member or officer of the local authority or any authorised officer may at any time —

(a) enter a licensed place and make such inspection as is deemed necessary;

(b) make such inspection as is deemed necessary of anything used by a licensee for the purposes of or incidental to his car parking operation; and

(c) question the licensee and his employees. |
| Approval and directions to be in writing etc. | 18. For the purposes of these Rules —

(a) any approval or direction of the local authority shall be given in writing and shall be signified under the hand of the Chairman of the local authority or of an authorised officer; and

(b) any approval or direction of an authorised officer shall be given in writing under his hand. |
| Penalties. | 19. (1) Any person who —

(a) contravenes or fails to comply with the provisions of any of these rules or any condition imposed under rule 7; or |

(b) signs (whether as or on behalf of an applicant or as a witness) any application for a licence or makes or furnishes any plan or written information required under these rules knowing such application, plan or information contain any matter which is false in any material particular,

shall be guilty of an offence under these Rules and shall be liable upon conviction to a fine not exceeding two thousand dollars.

(2) On conviction, the local authority may without notice revoke or suspend licence.

FIRST SCHEDULE

ROAD TRAFFIC (BANDAR SERI BEGAWAN)
(PRIVATE PARKING PLACES) RULES, 1997

(RULE 5)

APPLICATION FOR A LICENCE TO MAINTAIN OR
OPERATE PRIVATE PARKING PLACE

(full name including every alias)

1. Name: _____
Nationality: _____ N.R.I.C. No./Colour: _____
2. Address of usual residence of individual applicant:

3. Address of the registered office in Brunei Darussalam of corporate applicant:

4. Address of proposed licensed place:

5. Number of parking lots to be maintained or operated: _____

NOTE:

- i. This application must be accompanied by a site and a detailed plan showing the complete layout and boundaries of any proposed licensed place.
 - ii. Informations on different types of parking facilities and the fee structures must be submitted, if fees or charges are collected for the use of the private parking place.
6. Type of Licence applied:
(Please tick the appropriate box)

For the first time:

<input type="checkbox"/>
<input type="checkbox"/>

Renewal:

Licence now sought to be renewed: _____

21st. JULY, 1999

Signed at _____ on the _____ day of _____ 19 _____

(Usual signature of individual applicant[s])

Before me _____
(Full name of witness) (Usual signature of witness)

Signed by _____ (a Director of/the Secretary of) _____

Company Limited, on the _____ day of _____ 19 _____

(Usual signature of Director/Secretary)

Before me _____
(Full name of witness) (Usual signature of witness)

NOTE:

- i. Any person who maintains or operates a private parking place on any land or premises without a valid licence commits an offence punishable under rule 19 with a fine not exceeding \$2,000.00.
- ii. Every signature is required to be witnessed.
- iii. Any person who signs (whether as or on behalf of an applicant or as a witness) any application for a licence or makes or furnishes any plan or written information required under these rules knowing such application, plan or information contain any matter which is false in any material particular commits an offence punishable under rule 19 with a fine not exceeding \$2,000.00.
- iv. On conviction, the Bandar Seri Begawan Municipal Board may without notice revoke or suspend his licence.

SECOND SCHEDULE

ROAD TRAFFIC (BANDAR SERI BEGAWAN)
(PRIVATE PARKING PLACES) RULES, 1997

(RULE 7)

LICENSING AUTHORITY: BANDAR SERI BEGAWAN MUNICIPAL BOARD

LICENCE NO.: _____

Subject to the provisions of the above mentioned Rules, the Bandar Seri Begawan Municipal Board hereby licenses the Licensee named in the Schedule below to maintain or operate the private parking place, at the location, from the date of issue until the date of expiry and subject to the conditions specified in the Schedule below:

SCHEDULE

1. Name: _____
N.R.I.C. No./Colour: _____
Address/Registered Office: _____

2. Location of licensed place: _____

3. Date of issue: _____
4. Date of expiry: _____
5. Annual Licence Fee: _____
6. Conditions (if any): Endorsed on the back of this Licence

21st. JULY, 1999

Affix a passport-size
Photograph of the
Licensee here.

THE CHAIRMAN

BANDAR SERI BEGAWAN
MUNICIPAL BOARD
BRUNEI DARUSSALAM

THIRD SCHEDULE

**ROAD TRAFFIC (BANDAR SERI BEGAWAN)
(PRIVATE PARKING PLACES) RULES, 1997**

(RULE 8)

LICENCE FEES

The Licence Fees are derived as in the Schedule below:

No. of Parking Lots	Licence Fee Per Month	Licence Fee Per Annum
5 – 54	\$10.00	\$120.00
55 – 59	\$20.00	\$240.00
100 – 149	\$30.00	\$360.00
150 – 199	\$40.00	\$480.00
200 – 249	\$50.00	\$600.00
250 – 299	\$60.00	\$720.00
300 – 349	\$70.00	\$840.00
350 – 399	\$80.00	\$960.00
400 – 449	\$90.00	\$1080.00
450 – 499	\$100.00	\$1200.00
500 – 549	\$110.00	\$1320.00
550 – 599	\$120.00	\$1440.00
600 – 649	\$130.00	\$1560.00
650 – 699	\$140.00	\$1680.00
700 – 749	\$150.00	\$1800.00
750 – 799	\$160.00	\$1920.00
800 – 849	\$170.00	\$2040.00
850 – 899	\$180.00	\$2160.00
900 – 949	\$190.00	\$2280.00
950 and above	\$200.00	\$2400.00''

Made by the Bandar Seri Begawan Municipal Board this 29th. day of Rabiulawal,
1420 Hijriah corresponding to the 13th. day of July, 1999.

[HAJI ABDUL RAHMAN BIN HAJI MOHIDDIN]

The Chairman

Bandar Seri Begawan Municipal Board
Brunei Darussalam