

No. S 25

**ROAD TRAFFIC ACT
(CHAPTER 68)**

**ROAD TRAFFIC (REGISTRATION OF MOTOR VEHICLES AND TRAILERS)
REGULATIONS, 2013**

ARRANGEMENT OF REGULATIONS

Regulation

PART I

PRELIMINARY

1. Citation.
2. Interpretation.

PART II

REGISTRATION OF MOTOR VEHICLES AND TRAILERS

3. Application for registration.
4. Duplicate book.
5. Notification of events affecting registration.
6. Registration of public service or goods vehicles.
7. Position of registered owner who is not absolute owner.
8. Change of possession.

PART III

GENERAL

9. Penalties.
 10. Amendment of Regulation 1 of Chapter 68.
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**ROAD TRAFFIC ACT
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In exercise of the power conferred by section 93 of the Road Traffic Act, the Minister of Communications, with the approval of His Majesty the Sultan and Yang Di-Pertuan, hereby makes the following Regulations —

PART I

PRELIMINARY

Citation.

1. These Regulations may be cited as the Road Traffic (Registration of Motor Vehicles and Trailers) Regulations, 2013.

Interpretation.

2. In these Regulations, unless the context otherwise requires —

“register” means a register kept by the Director under section 4.

PART II

REGISTRATION OF MOTOR VEHICLES AND TRAILERS

Application for registration.

3. (1) Every application for the registration of a motor vehicle or trailer shall be made by the owner or a motor agent on behalf of that person thereof in such form as the Director may approve.

(2) Such form shall be —

(a) fully and correctly completed by the applicant and delivered to the Director; and

(b) accompanied by a fee of \$25.

(3) Every applicant shall furnish such particulars and produce such evidence as may be required by the Director.

(4) On receipt of such application, the licensing officer shall forthwith enter particulars of the vehicle or trailer in the register, and shall assign to the vehicle

or trailer a registered letter or letters and number, which shall become the identification mark of such vehicle or trailer, and shall issue to the applicant a registration book in such form as the Director may approve:

Provided that no motor vehicle or trailer registered outside Brunei Darussalam shall be registered in Brunei Darussalam, unless the applicant produces —

(a) a certificate, in a form approved by the Controller of Customs and Excise, setting out particulars of ownership and details of the motor vehicle or trailer and certifying that all necessary customs and import licence formalities relating to the importation of such vehicle or trailer have been completed; and

(b) a copy of the manufacture's specifications in respect of such vehicle or trailer.

(5) A person who is registered as the owner of a motor vehicle or trailer under the provisions of these Regulations may, subject to any conditions which may be prescribed, and on payment of a fee of \$50, have the identification mark of such motor vehicle or trailer transferred to another motor vehicle or trailer of which he is the registered owner or of which he applies to be the registered owner, and the licensing officer shall thereupon assign a new identification mark to the first-mentioned motor vehicle or trailer and make all necessary and consequential amendments to the register and registration book.

Duplicate book.

4. (1) Whenever it appears to the satisfaction of the licensing officer that the registration book issued to any person has been lost or destroyed, or the essential particulars accidentally defaced or is in a state of dilapidation or that space is lacking for essential particulars, it shall be competent for the licensing officer, on payment of a fee of \$20, to issue a duplicate of such book, with the word "Duplicate" written thereon:

Provided that where there is no space available for further essential particulars, no fee shall be charged for the issue of the duplicate.

(2) When a duplicate registration book is issued on account of defacement, dilapidation or lack of space for essential particulars, the old registration book shall be endorsed with the words, "Cancelled: Duplicate issued" by the licensing officer, and returned to the owner.

Notification of events affecting registration.

5. (1) The owner of a motor vehicle or trailer shall notify the licensing officer of all circumstances or events which affect the accuracy of the entries in the register, at the same time forwarding the registration book for amendment.

(2) A licensing officer may call upon the owner of a motor vehicle or trailer at any time to furnish all information required for verification of the entries in the register.

Registration of public service or goods vehicles.

6. Before registering any public service or goods vehicle the licensing officer shall ascertain both the nett weight and the gross weight (if any) and the maximum number of passengers (if any) which the vehicle may be authorised to carry, and such nett weight and gross weight (if any) and the maximum number of passengers (if any) shall be entered in the register and in the registration book, and shall also be painted in black or white letters and figures at least 25 millimetres high upon the nearside of such vehicle and in such a position as to be clearly visible.

Position of registered owner who is not absolute owner.

7. (1) Where the person entitled to the possession of a motor vehicle or trailer is not the absolute owner thereof, but is registered as the owner thereof, any person claiming to be the absolute owner thereof (in this regulation referred to as the claimant) may apply to the licensing officer to enter his name in the register as the absolute owner in addition to the name of the registered owner.

(2) On receipt of any such application, the licensing officer shall cause the registered owner to be informed thereof by registered post, and shall call on him to show cause within 14 days why the name of the claimant should not be so entered in the register.

(3) If the registered owner agrees that the name of the claimant should be so entered in the register, or if he fails to show cause within the said 14 days why the said name should not be so entered, the licensing officer shall enter the name of the claimant in the register accordingly and he shall be deemed to be the absolute owner for the purposes of the Act.

(4) If the registered owner proceeds to show cause, the licensing officer shall inquire into the circumstances and shall make such order thereon as he may think fit, and any person whose name is, as the result of the inquiry, entered in the register by the licensing officer as the absolute owner of the motor vehicle or trailer shall be deemed to be the absolute owner for the purposes of the Act.

(5) The absolute owner of a motor vehicle or trailer, whose name has been entered in the register under the provisions of this regulation shall, on ceasing to be the absolute owner thereof, require the licensing officer to remove his name from the register, and the licensing officer shall forthwith comply with such requisition.

(6) The licensing officer may also, if he is satisfied that the absolute owner of a motor vehicle or trailer has ceased to be the absolute owner thereof, remove the name of such absolute owner, on being requested to do so by the registered owner.

Change of possession.

8. (1) On the change of possession of a motor vehicle or trailer otherwise than by death —

(a) the motor vehicle or trailer shall not be used for more than 14 days after such change of possession unless the new owner is registered as the owner thereof;

(b) the registered owner shall within 14 days inform the licensing officer in writing of the name and address of the new owner, and of the date of the change of possession of the motor vehicle in such form and manner as the Director may approve; and

(c) the registered owner shall within 14 days deliver his motor vehicle or trailer licence and registration book to the new owner, who shall as soon as reasonably possible deliver the latter to the licensing officer.

(2) Sub-regulation (1) shall not apply by reason only of a change of possession consequent on a contract of hiring where the period of hiring does not exceed 3 months, or when the registered owner continues to employ and pay the driver of the vehicle.

(3) Application for registration of a new owner may be made before the actual transfer of the ownership of the motor vehicle or trailer but the registration of a new owner shall not be effective until the registration book has been surrendered to and re-issued by the licensing officer.

(4) On the death of the registered owner of a motor vehicle or trailer, the person into whose custody the motor vehicle or trailer shall come shall within 14 days of its coming into his custody give notice of the fact to the licensing officer.

(5) Sub-regulations (1) and (3) shall not apply to any change of possession of a motor vehicle or trailer which occurs by reason of the vehicle or trailer being lawfully seized under a hire-purchase agreement, but in any such circumstances the following provisions shall apply —

(a) the registered owner or his representative shall within 7 days of the seizure, deliver the registration book to the person who has seized the motor vehicle or trailer, and inform the licensing officer in writing of the change of possession in such form and manner as the Director may approve;

(b) such person shall, within 7 days of receiving the registration book, apply to the licensing officer to be registered as the owner thereof in place of the registered owner, and shall be registered accordingly unless the licensing officer thinks fit to order otherwise; and

(c) the licensing officer shall if he is satisfied that any such person whose name has been entered in the register under regulation 8 as the absolute owner of the motor vehicle is unable within 7 days of the seizure to procure the registration book from the registered owner or representative, supply such person on request with duplicate of the said book, and such person shall thereafter cease to be the absolute owner and shall be deemed to be the registered owner, and the licensing officer shall accept his signature as such, until the next change of possession is effected.

(6) On the registration of a new owner, the licensing officer shall make the necessary alterations to the registration book and the register and shall deliver the altered book to the new registered owner.

PART III

GENERAL

Penalties.

9. Any person who fails to comply with or who contravenes any provision of or any requirement of these Regulations is guilty of an offence and liable on conviction to a fine not exceeding \$500 and, in the case of a second or subsequent conviction, to a fine not exceeding \$1,000.

Amendment of Regulation 1 of Chapter 68.

10. Part II and the First Schedule to the Road Traffic Regulations are repealed.

Made this 6th. day of Jamadilakhir, 1434 Hijriah corresponding to the 17th. day of April, 2013.

PEHIN ORANG KAYA HAMZAH PAHLAWAN
DATO SERI SETIA AWANG HAJI ABDULLAH
BIN BEGAWAN MUDIM DATO PADUKA HAJI BAKAR
Minister of Communications,
Brunei Darussalam.