

No. S 40

**ROAD TRAFFIC ACT
(CHAPTER 68)**

ROAD TRAFFIC (AMENDMENT) REGULATIONS, 2004

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation and commencement.
 2. Amendment of regulation 48.
 3. Substitution of regulation 62.
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(CHAPTER 68)**

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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 —

Citation and commencement.

1. These Regulations may be cited as the Road Traffic (Amendment) Regulations, 2004 and shall commence on the same date as the Road Traffic Act (Amendment) Order, 2004.

Amendment of regulation 48.

2. Regulation 48 of the Road Traffic Regulations, in these Regulations referred to as the principal Regulations, is amended by inserting the following new sub-regulation immediately after sub-regulation (3) —

"(3A) No person shall be registered as the new owner of a motor vehicle or trailer if the licensing officer is satisfied that the registered owner of such motor vehicle or trailer has been, at the time of the application for such registration, indebted to the Government or a local authority for a period not exceeding 2 years in respect of such motor vehicle or trailer for the payment of any money (by whatsoever name so called) due under any provision of the Act or of any subsidiary legislation made thereunder:

Provided that any aggrieved person may request that the decision of the licensing officer not to register the new owner be confirmed by the Director who may confirm or rescind it or substitute therefor any decision that could lawfully have been made by the licensing officer."

Substitution of regulation 62.

3. The principal Regulations are amended by repealing regulation 62 and by substituting the following new regulation therefor —

"Conditions to be satisfied before issue of licence.

62. A licensing officer shall not issue a motor vehicle or trailer licence until the motor vehicle or trailer has been duly registered, and shall not renew any such licence unless he is satisfied that —

(a) the motor vehicle or trailer does not differ in any respect from the particulars in the register; and

(b) the applicant for such licence has not been, at the time of the application for renewal, indebted to the Government or a local authority for a period not exceeding 2 years in respect of such motor vehicle or trailer for the payment of any money (by whatsoever name so called) due under any provision of the Act or of any subsidiary legislation made thereunder:

Provided that any aggrieved person may request that the decision of the licensing officer not to issue a motor vehicle or trailer licence if paragraph (b) applies be confirmed by the Director who may confirm or rescind it or substitute therefor any decision that could lawfully have been made by the licensing officer."

Insertion of new regulation 86A.

4. The principal Regulations are amended by inserting the following new regulation immediately after regulation 86 —

"Restriction on renewal.

86A. A licensing officer shall not renew a driving licence after its expiration if he is satisfied that the applicant for such renewal has been, at the time of the expiration of the previous licence, indebted to the Government or a local authority for a period not exceeding 2 years for the payment of any money (by whatsoever name so called) due under any provision of the Act or of any subsidiary legislation made thereunder:

Provided that any aggrieved person may request that the decision of the licensing officer not to renew the driving licence be confirmed by the Director who may confirm or rescind it or substitute therefor any decision the could lawfully have been made by the licensing officer."

Made this 16th. day of Rabiulakhir, 1425 Hijriah corresponding to the 5th. day of June, 2004.

PEHIN ORANG KAYA AMAR PAHLAWAN
DATO SERI SETIA HAJI AWANG ZAKARIA BIN
DATU MAHAWANGSA HAJI SULAIMAN
Minister of Communications,
Brunei Darussalam.