L.N. 4 of 1985

TRAFFIC REGULATION ORDINANCE (CAP. 105)
FEES ORDINANCE (CAP. 58)

Motor Tractors (Amendment) Regulations, 1985

IN exercise of the powers conferred by section 2 of the Fees Ordinance, and section 16 of the Traffic Regulation Ordinance, the Minister of the Interior and the Comissioner of Police with the concurrence of the Minister of Finance and Customs and on the advice of the Traffic Control Board, have made the following regulations:—

Citation and commencement. L.N. 50 of 1979

1. (1) These regulations may be cited as the Motor Tractors (Amendment) Regulations, 1985 and shall be read and construed as one with the Motor Tractors Regulations, 1979, hereinafter referred to as "the principal regulations".

(2) These regulations shall come into force on the day immediately following their publication in the Gazette.

Amends regulation 6 of the principal regulations.

2. Regulation 6 of the principal regulations shall be amended as follows:—

(a) the present provision shall be renumbered as paragraph (1) thereof; and

(b) immediately after paragraph (1) thereof as renumbered there shall be added the following new paragraph:

"(2) If any member of the Police Corps shall have a reasonable cause to suspect that the gross laden weight of any motor tractor and trailer or of any heavy commercial vehicle exceeds the weight established in accordance with paragraph (1) of this regulation, he may stop and examine such motor tractor and trailer or heavy commercial vehicle and may direct the driver of such vehicle to have the vehicle weighed at the Customs Weigh Bridge, and if the weight of the motor tractor and trailer, or of the heavy commercial vehicle proves at such weighing to exceed the weight established in accordance with paragraph (1) of this regulation, the owner and the driver thereof shall, without prejudice to any criminal or other liability, be liable *in solidum* to pay to the Commissioner of Police, for such weighing a sum equivalent to the fees established in accordance with the Fees (Customs Weighers) Regulations, 1981, for the weighing under the said regulations of the vehicles of the type referred to in this regulation.". L.N. 35 of 1981

Adds new regulation 16A to the principal regulations.

3. Immediately after regulation 16 of the principal regulations there shall be added the following new regulation:

"Power to remove.

16A. (1) Without prejudice to any other liability that may be incurred by the offender, the Commissioner shall have power to remove any commercial vehicle, any heavy commercial vehicle, any motor tractor, any trailer or any container obstructing or otherwise causing any nuisance or inconvenience in any street, road, quay, wharf or other public place in contravention of regulation 12, 13, 14 or 15 of these regulations.

(2) The commercial vehicles, heavy commercial vehicles, motor tractors, trailers or containers removed by the Commissioner of Police in accordance with paragraph (1) of this regulation shall be stored in such place as may be determined by the Commissioner of Police, and shall only be released to the owner or such other person showing that he is entitled to receive such commercial vehicle, heavy commercial vehicle, motor tractor, trailer or container upon payment to the Commissioner of the fee in connection with the removal and storage thereof as shown in the Schedule to these regulations.

(3) The Commissioner shall not be responsible for any damage that may reasonably arise in connection or consequent to the removal and storage of any motor vehicle or other thing removed in accordance with this regulation.".

Adds Schedule to the principal regulations.

4. Immediately after regulation 20 of the principal regulations there shall be added the following Schedule:

"SCHEDULE

(Regulation 16A)

Fees payable in connection with the removal and storage of commercial vehicles, heavy commercial vehicles, motor tractors, trailers or containers

(i)	For the use of any towing, lifting or other equipment	Lm10
(ii)	For the towing of the vehicle or other thing removed to the place of storage, for every kilometre or part thereof	Lm 5
(iii)	For the storage of the vehicle or other thing removed, for every day or part thereof	Lm 3".