THE ROAD TRAFFIC (AMENDMENT) ACT 2012

Act No. 17 of 2012

Proclaimed by [Proclamation No. 22 of 2013] w.e.f 10 May 2013

Government Gazette of Mauritius No. 76 of 28 July 2012

I assent

RAJKESWUR PURRYAG

27 July 2012 ***President of the Republic***

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Interpretation
3. Application of Act
4. Section 2 of principal Act amended
5. Section 46 of principal Act amended
6. Section 52 of principal Act amended
7. Section 53 of principal Act amended
8. Section 123AG of principal Act repealed and replaced
9. Section 123AH of principal Act repealed and replaced
10. Section 123A1 of principal Act repealed and replaced
11. Sections 123AJ, 123 LA and 123 LB of principal Act repealed
12. Section 123AM inserted in principal Act
13. Section 130 of principal Act amended

14. Section 191 of principal Act repealed and replaced

15. Section 192 of principal Act repealed and replaced

16. Section 193 of principal Act amended

17. Section 195 of principal Act repealed and replaced

18. Section 196 added to principal Act

19. Section 197 added to principal Act

20. Third Schedule inserted in principal Act

21. Fourth Schedule to principal Act amended

22. Schedules added to principal Act

23. Revocation

24. Consequential amendment

25. Savings

26. Commencement

FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

FOURTH SCHEDULE

FIFTH SCHEDULE

An Act

To amend the Road Traffic Act

ENACTED by the Parliament of Mauritius, as follows —

1. Short title

This Act may be cited as the **Road Traffic (Amendment) Act 2012**.

2. Interpretation

In this Act—

"principal Act" means the Road Traffic Act.

3. Application of Act

This Act shall not apply to offences committed before the commencement of this Act.

4. Section 2 of principal Act amended Section 2 of the principal Act is amended —

(a) in the definition of "driving licence", in paragraph (a), by inserting, after the words "Part IV", the words "and comprising a licence card in the form set out in the Tenth Schedule and a paper counterpart";

(b) in the definition of "licensing officer", by deleting the words "appointed by the Minister" and "Part *N"* and replacing them by the words "designated by the Commissioner of Police" and "Parts IV and VIIIA", respectively;

(c) by inserting, in the appropriate alphabetical order, the following new definitions —

"emergency vehicle" includes an ambulance, or a vehicle belonging to the Police or the Fire Services and displaying an intermittently flashing identification lamp as may be prescribed;

"FPN" means a Fixed Penalty Notice;

"Fixed Penalty Notice" means a notice referred to in section 191;

"hard shoulder" means a paved surface contiguous to the left side of a carriageway;

"offence code" means the code specified in the third column of the Third Schedule;

"paper counterpart" means a document in the form set out in Part II of the Tenth

Schedule;

"PEDN" means a Photographic Enforcement Device Notice;

"penalty points" means points allocated to a person —

(a) by a Court by way of additional penalty for an offence under this Act; or

(b) pursuant to section 191 or 195;

"Penalty Points Certificate" means a certificate issued under section 123AG(1);

"Photographic Enforcement Device Notice" means a notice issued pursuant to section 195;

5. Section 46 of principal Act amended

Section 46 of the principal Act is amended, in subsections (1) and (3), by deleting the words "a photocopy thereof' and replacing them by the words "an up-to-date photocopy in the actual size of the original driving licence, showing the latest endorsement, if any".

6. Section 52 of principal Act amended

Section 52 of the principal Act is amended —

(a) by deleting the words "A Court" and replacing them by the words "Subject to section 123AH, a Court";

(b) by repealing subsection (1)(b).

7. Section 53 of principal Act amended

Section 53 of the principal Act is amended, in subsections (1) to (4), by inserting, after the words "this Part", the words "and section 123AH".

8. Section 123AG of principal Act repealed and replaced

Section 1 23AG of the principal Act is repealed and replaced by the following section —

123AG. Allocation of penalty points

(1) (a) Penalty points shall be allocated to a person —

(i) by a Court in accordance with this section; or

(ii) where he has, pursuant to section 191 or 195, signified his agreement to the allocation.

(b) For the purpose of allocation of penalty points, a person who is holder of a driving licence for one type or class of vehicle and is also holder of a provisional driving licence for any other type or class of vehicle shall be deemed to be the holder of a driving licence.

(c) (i) The licensing officer shall keep an up-to-date record of penalty points allocated to every person pursuant to paragraph (a).

(ii) On application made by the holder of a driving licence, the licensing officer shall, on payment of the prescribed fee, issue a Penalty Points Certificate in the form set out in Part I of the Ninth Schedule, stating the number of effective penalty points that have been allocated to the holder of the driving licence.

(2) (a) Where a person is convicted of an offence specified in the first column of the Third Schedule, the Court shall —

(i) require the licensing officer to produce a Penalty Points Certificate in relation to the
convicted person;

(ii) subject to paragraph (b) and in addition to any other sentence, including a monetary or custodial sentence which it thinks fit to pass, allocate penalty points within the range specified in the second column of the Third Schedule to the convicted person;

(iii) where appropriate, disqualify the convicted person from holding or obtaining a driving licence or cancel the driving licence of the convicted person, as the case may be, in the circumstances provided under section 123AH(1); and

(iv) within 14 days of allocating penalty points to the convicted person under subparagraph (ii), or disqualifying the convicted person from holding or obtaining a driving licence or cancelling the driving licence of the convicted person, as the case may be, under subparagraph (iii), inform the licensing officer of the fact by means of an Endorsement Certificate in the form set out in Part II of the Ninth Schedule.

(b) (i) Where a person is convicted of having, on a single occasion, committed more than one offence specified in the first column of the Third Schedule, the Court shall, subject to subparagraph (ii), allocate the largest number of penalty points in respect of the offence carrying the highest range of penalty points.

(ii) Where the same range of penalty points is provided for 2 or more offences, the Court shall allocate the largest number of penalty points in respect of any one offence.

(3) (a) Where penalty points have been allocated to a convicted person pursuant to subsection (2), the convicted person shall, within 5 days, produce his driving licence to the Court which shall enter the particulars referred to in paragraph (b) on the paper counterpart.

(b) The particulars to be entered in accordance with paragraph (a) are —

(i) particulars of the offence committed, the date of its commission and the offence code;

(ii) the number of penalty points allocated and date of such allocation.

(4) (a) Any person to whom penalty points has been allocated pursuant to subsection

(2) may appeal against such decision in the same manner as against a conviction or sentence and the Court shall, pending the outcome of the appeal, suspend its decision.

(b) A Court to which an appeal has been made pursuant to paragraph (a) shall, within 14 days of its decision, inform the licensing officer, in writing, of the outcome of the appeal.

9. Section 123AH of principal Act repealed and replaced

Section 123AH of the principal Act is repealed and replaced by the following section —

123AH. Exceeding permitted maximum number of penalty points

(1) (a) Subject to paragraph (b) and subsection (2), where, following an allocation of penalty points by a Court under section 123AG, the Court finds that the convicted person has exceeded the permitted maximum number of penalty points, it shall at the same sitting disqualify, in accordance with section *52,* the person from holding or obtaining a driving licence for all classes of motor vehicles for a period of not less than 6 months.

(b) Where a person is disqualified under section 52 and the Court subsequently disqualifies that person under paragraph (a), the Court shall, at the same sitting, cancel his driving licence.

(2) (a) Where, following an allocation of penalty points pursuant to section 191 or 195, or by a Court, the licensing officer becomes aware that a person has exceeded the permitted maximum number of penalty points, he shall make a written application to a Magistrate for the issue of a summons to the person to show cause why that person should not be disqualified from holding or obtaining a driving licence.

(b) Where the Court is satisfied that a person has exceeded the permitted maximum number of penalty points, it shall, at the same sitting, disqualify the person from holding or obtaining a driving licence for all classes of motor vehicles for a period of not less than 6 months.

(3) (a) Where, pursuant to subsection (1) or (2), a person who is the holder of an

instructor's licence is disqualified from holding or obtaining a driving licence, the Court shall —

(i) suspend his instructor's licence for the period during which he is disqualified from holding or obtaining a driving licence;

(ii) order that person to surrender his instructor's and driving licences to the Court within *5* days of the date of the order; and

(iii) forward the instructor's and driving licences to the licensing officer within 14 days from the date of the order.

(b) At the end of the period of disqualification, every licence surrendered pursuant to paragraph (a) shall, at the request of the holder, be returned to him on payment of the prescribed fee.

(4) For the purposes of this section, the permitted maximum number of penalty points shall, in the case of a holder of a —

(a) provisional driving licence, be 10 points;

(b) driving licence which is not a provisional driving licence, be 15 points.

10. Section 123AI of principal Act repealed and replaced

Section 123AI of the principal Act is repealed and replaced by the following section —

123AI. Effectiveness of penalty points

Any penalty points allocated pursuant to section 123AG, 191 or 195 shall remain effective until —

(a) 36 months have elapsed since the day on which the penalty points were allocated; or

(b) they have been taken into account for the purposes of a disqualification order under section 123AH,

whichever occurs earlier, and shall, as from that date, no longer be considered to be effective.

11. Sections 123AJ, 123 LA and 123 LB of principal Act repealed

Sections 123AJ, 123 LA and 123 LB of the principal Act are repealed.

12. Section 123AM inserted in principal Act

The principal Act is amended by inserting, after section 123AL, the following new section —

123AM. Lane discipline on dual carriageway

(1) Every lane of a dual carriageway shall be numbered in such a manner that the lane contiguous to and to the left of the central reservation shall be numbered the first lane of that carriageway, and the lane to the left of the first lane of that carriageway shall be numbered the second lane, and so forth.

(2) No person shall drive a vehicle other than an emergency vehicle, a bicycle, an electric cycle, auto cycle or a motorcycle, or allow a vehicle to remain at rest on a hard shoulder except in case of mechanical breakdown, accident, illness, or to permit any person to attend to an emergency.

(3) A person shall drive his vehicle on the left lane of a dual carriageway, except where —

(a) he is turning right at a junction;

(b) he is overtaking;

(c) directed by a police officer or traffic signs;

(d) he has to select another lane at a junction to reach his destination;

(e) he is avoiding an obstruction; or

(f) the traffic is congested on the left lane.

(4) No person driving a vehicle shall overtake another moving vehicle on the left except where —

(a) a signal to turn right is being displayed on the person's vehicle in front and there is room for it to be safely overtaken on the left; or

(b) traffic is moving slowly in queues and the vehicle is in a queue which is moving faster than the queue on the right.

(5) No person shall drive a —

(a) vehicle drawing a trailer;

(b) goods vehicle wjth a maximum gross weight exceeding 3.5 tonnes; or

(c) passenger vehicle constructed or adapted to carry 14 or more persons, including the driver,

on the first lane of a dual carriageway with 3 or more lanes, except when turning right at a junction.

(6) Any person who contravenes this section shall commit an offence and shall, on conviction, be liable to a fine not exceeding 2,000 rupees.

(7) In this section —

"lane" means a longitudinal division of a carriageway intended to accommodate a single line of vehicles moving in the same direction;

"left lane" means a lane contiguous to a hard shoulder or where there is no hard shoulder, the lane found to the outermost left side of the carriageway.

13. Section 130 of principal Act amended

Section 130 of the principal Act is amended, in subsection (1), by inserting, after the words “he shall not”, the words “, except in the case of an offence which is the subject of a FPN or a PEDN,”.

14. Section 191 of principal Act repealed and replaced

Section 191 of the principal Act is repealed and replaced by the following section —

191. Fixed Penalty Notice

(1) Where a person commits an offence specified in the first column of the Fourth Schedule, the police officer, road transport officer or traffic warden who detects the offence shall require the driver of the motor vehicle involved to elect whether to accept a Fixed Penalty Notice (FPN) or to be reported with a view to proceedings being taken against him before a Court.

(2) Where the driver elects to accept a FPN pursuant to subsection (1), one copy of the FPN, in the form set out in the Seventh Schedule and drawn up in quadruplicate, shall immediately be served on him, calling upon him to —

(a) pay, within 21 days, the appropriate fine specified in the second column of the Fourth Schedule to the appropriate District Court;

(b) sign, at the time of payment, his agreement in writing that the penalty points applicable to the offence shall be allocated to him in accordance with subsection (4).

(3) The person who detected the offence shall —

(a) forward one copy of the FPN to the licensing offlcer or the Commissioner, as the ease may be;

(b) forward one copy to the appropriate District Court; and

(c) retain the fourth copy.

(4) (a) Where only one offence is detected, the FPN shall make reference to the lowest number of penalty points in respect of that offence.

(b) Where more than one offence are detected on a single occasion, the FPN shall make reference to the lowest number of penalty points in respect of the offence carrying the highest range of penalty points.

15. Section 192 of principal Act repealed and replaced

Section 192 of the principal Act is repealed and replaced by the following section —

192. Payment of fixed penalty

(1) A person who elects to accept a FPN pursuant to section 191(1) shall, within 21 days —

(a) attend the appropriate District Court specified in the FPN;

(b) produce the FPN, his original driving licence and his National Identity Card; and

(c) pay the fine specified in the FPN.

(2) (a) On receipt of payment made under subsection (1), the District Court Officer shall —

(i) fill in Part B of the FPN, including the number of penalty points allocated, if any, which shall be the number of penalty points specified in Part A of the FPN;

(ii) in case the offence carries penalty points as set out in the second column of the Third Schedule, enter the particulars referred to in section 123AG(3)(b) on the paper counterpart; and

(iii) return, to the licensing officer within 14 days, only the FPN which has been endorsed with penalty points.

(b) The licensing officer shall, on receipt of the FPN, record the penalty points allocated to the person effecting the payment.

16. Section 193 of principal Act amended

Section 193 of the principal Act is amended by inserting, after the words "Fourth Schedule", the words "together with the prescribed penalty points as applicable".

17. Section 195 of principal Act repealed and replaced

Section 195 of the principal Act is repealed and replaced by the following section —

195. Photographic Enforcement Device Notice

(1) Where an offence specified in the Eighth Schedule is detected by means of a Photographic Enforcement Device, a police officer shall, within 14 days, cause a Photographic Enforcement Device Notice (PEDN) in the form set out in the Eighth Schedule to be served on the owner of the motor vehicle calling upon him —

(a) to pay, within 21 days as from the date of issue of the PEDN, the appropriate fine specified in the Eighth Schedule;

(b) to signify, at the time of payment, his agreement, in writing, that the penalty points applicable to the offence shall be allocated to him;

(c) where he was not the driver or owner of the motor vehicle at the time of the offence, to fill in and sign Part B of the PEDN and return it to the licensing officer within 14 days as from the date of the issue of the PEDN.

(2) Where the licensing officer receives a PEDN with Part B filled in, he shall, within 14 days, cause the PEDN to be served on the new owner or driver of the motor vehicle, as the case may be, calling upon him to comply with the requirements of

subsection (1)(a) and (b).

(3) A driver who has been served with a PEDN shall, within 21 days—

(a) attend the appropriate District Court specified in the PEDN;

(b) produce the PEDN, his original driving licence and his National Identity Card; and

(c) pay the fine specified in the PEDN.

(4) (a) Where only one offence is detected, the PEDN shall make reference to the lowest number of penalty points in respect of that offence.

(b) Where more than one offence are detected on a single occasion, the PEDN shall make reference to the lowest number of penalty points in respect of the offence carrying the highest range of penalty points.

(5) On receipt of payment made pursuant to subsection (3), the District Court Officer shall —

(a) fill in Part E of the PEDN, including the penalty points which shall be the number set out in Part A of the PEDN;

(b) enter the particulars referred to in section 123AG(3)(b) on the paper counterpart; and

(c) return the PEDN to the licensing officer within 14 days.

(6) The licensing officer shall, on receipt of the PEDN, record the penalty points allocated.

(7) The photographic evidence may be viewed by the owner or driver of the motor vehicle on written application made to the Commissioner of Police within 14 days of the date of issue of the PEDN and on payment of the prescribed fee.

(8) In this section—

"owner" includes —

(a) a person in whose name the vehicle is registered, except where the person has sold or otherwise disposed of the vehicle and has complied with the enactment applicable to him in regard to such sale or disposal;

(b) a person who is the joint owner of the vehicle;

(c) a person who has possession of the vehicle, under a hiring, hire-purchase or lease agreement, but who is not the owner under any such agreement;

(d) the holder of a motor dealer's vehicle licence issued under section 32; and

(e) the holder of a permit to remove a vehicle under the Road Traffic (Removal of Unlicensed Vehicles) Regulations 1969;

"serve" means —

(a) deliver in person; or

(b) send, by registered post, to a person's usual or last known place of residence or business address.

18. Section 196 added to principal Act

The principal Act is amended by adding the following section —

196. Non-payment under section 195

Where the owner or driver of a motor vehicle, as the case may be, who is served with a PEDN fails to pay the specified penalty within 21 days of the date of issue of the PEDN, he shall —

(a) be presumed to have been the driver of the vehicle at the time of the offence; and

(b) where criminal proceedings are instituted against him for the offence in respect of which he was served with the PEDN, be liable, on conviction, to a fine which shall not be less than twice the amount specified in the Eighth

Schedule together with the prescribed penalty points in respect of that offence.

19. Section 197 added to principal Act

The principal Act is amended by adding the following new section —

197. Giving false or misleading information

Where a person knowingly gives false or misleading information in filling Part B of a PEDN, he shall commit an offence and shall, on conviction, be liable to a fine not exceeding 10,000 rupees and to imprisonment for a term not exceeding 3 months.

20. Third Schedule inserted in principal Act

The principal Act is amended by inserting, after the Second Schedule, the Third Schedule set out in the First Schedule to this Act.

21. Fourth Schedule to principal Act amended

The principal Act is amended, in the Fourth Schedule —

(a) (i) by deleting the following items with their corresponding entries —

Exceeding speed limit - section 124(4)	500
Failing to comply with traffic sign - section 138	500
Failing to wear helmet - sections 163 and 165(1)	500
Failing to carry and exhibit sufficient lights – regulation 44(1) of the Road Traffic Regulations 1954 and section 163	500
Load not properly secured or projecting from a vehicle – sections 136 and 163	500
Failing to give free and uninterrupted passage to foot passenger using a crossing – regulations 4 and 8 of the Road Traffic (Foot Passenger Crossings) Regulations 1948 and section 163	200
Overtaking stationary vehicle at a pedestrian crossing – regulations 5A and 8 of the Road	200

Traffic (Foot Passenger Crossings)

Regulations 1948 and section 163

Using a hand-held microphone or telephone handset whilst driving a motor vehicle – section 123AE	2000

(ii) by replacing them by the following items with their corresponding entries, respectively –

Exceeding speed limit – section 124(4)	2000
Failing to comply with traffic sign – Traffic Signs Regulations 1990 and sections 123AD and 163	2000
Failing to wear securely a prescribed protective helmet while riding a motorcycle or auto cycle – section 123N(3)(a) and (5)	500
Using a motor vehicle on a road without head lamps, rear lamps and registration plate lamps kept lighted during hours of darkness – regulations 103(1)(b) and 125 of the Road Traffic (Construction and Use of Vehicles) Regulations 2010	500
Load insecurely fastened and falling, or liable to fall, from a vehicle, or projecting from the vehicle – regulations 4(2), 55 and 125 of the Road Traffic (Construction and Use of Vehicles) Regulations 2010 and section 123V(1) and (3)	500
Failing to allow free and uninterrupted passage to a pedestrian using a crossing – regulations 3(b) and 10 of the Road Traffic (Pedestrian Crossings) Regulations 2002	500
Overtaking or passing a vehicle which has stopped at a pedestrian crossing – regulations 4 and 10 of the Road Traffic (Pedestrian Crossings) Regulations 2002	500
Failing to wear seat belt when driving a motor vehicle – regulations 87(1)(a),(i),(b) and 125 of the Road Traffic (Construction and Use of Vehicles) Regulations 2010	500
Using a hand-held microphone or telephone	1500

	handset whilst driving – section 123AE	
(b)	by adding the following new items with their corresponding entries –	
	Breach of lane discipline on a dual carriageway section 123 AM	1000
	Using a hand-held or hand-free microphone or telephone handset while driving a motor vehicle or riding a motor cycle – regulations 90(1) and 125 of the Road Traffic (Construction and Use of Vehicles) Regulations 2010	1500

22. Schedules added to principal Act

The principal Act is amended by adding the Seventh, Eighth, Ninth and Tenth Schedules set out in the Second, Third, Fourth and Fifth Schedules to this Act, respectively.

23. Revocation

(1) The Road Traffic (Photographic Enforcement Device)Regulations 2008 are revoked.

(2) The Road Traffic (Use of Lanes) Regulations 2002 are revoked.

24. Consequential amendment

The Road Traffic (Motorways) Regulations 1964 are amended, in regulation 2(1), by revoking subparagraph (b).

25. Savings

Any notice issued under the Road Traffic (Photographic Enforcement Device) Regulations 2008 shall be deemed to have been issued under this Act.

26. Commencement

Proclaimed by [Proclamation No. 22 of 2013] w.e.f 10 May 2013

(1) Subject to subsection (2), this Act shall come into operation on a date to be fixed by Proclamation.

(2) Different dates may be fixed for the coming into operation of different sections of this Act.

Passed by the National Assembly on the seventeenth day of July two thousand and twelve.

Ram Ranjit Dowlutta
Clerk of the National Assembly

.....

FIRST SCHEDULE
[Section 20]

THIRD SCHEDULE

[Sections 2, 123AG and 192]

OFFENCES	PENALTY POINTS	OFFENCE CODE
Failing to wear securely a prescribed protective helmet while riding a motorcycle or auto cycle – section 123N(3)(a) and (5)	2-4	HELM01
Failing to give way when coming out of a less important road (including any private road or any place) onto a more important road or on to a main road – regulation 40(10) of the Road Traffic Regulations 1954	3-6	FWAY01
Failing to stop and remain at the scene of an accident when involved in the accident – section 140(1)(a),(5) and (7)	4-8	STOP01
Neglecting or refusing to comply with traffic directions given by a police officer – section 123AD(1) and (3)	2-4	POLD01
Using a hand-held microphone or telephone handset whilst driving – section 123AE	2-4	PHON01
Using a vehicle on a road without prescribed lights during hours of darkness – regulation 103(1) of the Road Traffic (Construction and Use of Vehicles) Regulations 2010	3-6	LAMP01
Load insecurely fastened and falling, or liable to fall, from a vehicle, or projecting from the vehicle – regulations 4(2) and 55 of the Road Traffic (Construction and Use of Motor Vehicles) Regulations 2010 and section 123V(1) and (3)	3-6	LOAD01
Failing to allow free and interrupted passage to a pedestrian using the crossing – regulation 3(b) of the Road Traffic (Pedestrian Crossings) Regulations 2002	4-6	CROS01
Overtaking or passing a vehicle which has stopped at a pedestrian crossing – regulation 4 of the Road Traffic (Pedestrian Crossings) Regulations 2002	4-6	OVCR01
Exceeding speed limit (by less than 25 kilometres per hour) – regulations 3 and 4 of the Road Traffic (Speed) regulations 2011 and sections 124(1) and (4)	2-4	SPED01
Exceeding speed limit (by 25 kilometres per hour or more, but less than 50 kilometres per hour) – regulations 3 and 4 of the Road Traffic (Speed) Regulations 2011 and sections 124(1) and (4)	4-6	SPED02
Exceeding speed limit (by 50 kilometres per hour of more) – regulations 3 and 4 of the Road Traffic (Speed) Regulations 2011	6-8	SPED03

and sections 124(1) and (4)		
Failing to wear seat belt when driving a motor vehicle – regulations 87(1)(a)(i) and (b) of the Road Traffic (Construction and Use of Vehicles) Regulations 2010	2-4	BELT01
Failing to comply with traffic sign (crossing a continuous white line on a road) – Traffic Signs Regulations 1990 and sections 123AD(2), 184 and 185	2-4	LINE01
Failing to comply with traffic sign (traffic lights) – Traffic Signs Regulations 1990 and sections 123AD(2), 184 and 185	2-4	TRLT01
Dangerous driving – section 123A	8-10	DANG01
Driving without due care or reasonable consideration – section 123C	8-10	CARE01
Breach of lane discipline on a dual carriageway – section 123AM	3-6	LANE01
Involuntary homicide and wounds and blows – section 133	8-10	INWB01

****

SECOND SCHEDULE

[Section 22]

SEVENTH SCHEDULE

[Section 191]

FIXED PENALTY NOTICE

PART A

Fixed Penalty Notice No…….

Date ……..

Name(s) of offender……..Surname of Offender ……

Address ……

This is to bring to your attention that on……(date) at ……(location) you have committed the following offence(s) —

Offences	Penalty Points to be allocated for the offence	Offence Code
(1)……		
(2)……..		
(3)…….		

in connection with the presence on the road ofthe following vehicle —

(a) type ……..

(b) make …….

(c) registration mark …….

The fine(s) provided for this/these offence(s) under the Road Traffic Act is/are, respectively —

(1) Rs……

(2) Rs……

(3) Rs……

The fine(s) may be paid to the cashier of the District Court of …….By…… at latest in accordance with section 192 of the Road Traffic Act. You are hereby called upon to pay the above fine(s) within the time limit mentioned above, failing which you shall be prosecuted for the above offence(s) and shall, on conviction, be liable in respect of the offence(s), to a fine being not less than twice the relevant amount specified above as well as to allocation of penalty points by the District Magistrate.

……..

Signature of Issuing Officer

……..

Name and identification

……

PART B

IN THE DISTRICT COURT OF ……

To be filled by District Court Officer

Surname of offender……

Other names of offender…….

Driving licence number of offender

National Identity Card number of offender

Offence……

Number of penalty points allocated……..

To be read and filled by offender

Please note that payment of the fine at Part A constitutes an admission of the offence and when more than one road traffic offence have been committed on a single occasion, the number of penalty points to be allocated shall be the lowest number in respect of the offence carrying the highest range of penalty points only.

I agree that penalty points specified in the Penalty Points column above at Part A be allocated to me pursuant to sections 123AG and 191 of the Road Traffic Act as follows —

Offence Code	

Signature of offender ……..

To be filled by District Court Officer

Date of payment……..

…… …….

Name and signature of District Court Officer Date

Official Stamp of the Court

……..

THIRD SCHEDULE

[Section 22]

EIGHTH SCHEDULE

[Section 195]

PHOTOGRAPHIC ENFORCEMENT DEVICE NOTICE

PART A

PEDN No.		Ref No.

Name of owner			
Address of owner			
Motor Vehicle	Registration mark		Make of vehicle
Was photographed at (location)			
On (dd/mm/yy)	Time	Photographic enforcement device operated by (name)	
Speed limit (km/h)	Speed registered by device (km/h)		Speed exceeded by (km/h)

	OFFENCE COMMITTED	**Fine (Rs)**	**No. of penalty points**	**Offence Code**
1.	Failing to comply with traffic signs, in breach of section 123AD(2) of the Road Traffic Act coupled with the Traffic Signs Regulations 1990	2,000		
2.	Using a hand-held microphone or telephone handset whilst driving, in breach of section 1 23AE of the Road Traffic Act	1,500		
3.	Exceeding speed limit, in breach of sections 124(1) and (4) of the Road Traffic Act coupled with regulations 3 and 4 of the Road Traffic (Speed) Regulations 2011	2,000		

You are hereby required to pay a penalty of……...rupees for the abovementioned offence within 21 days of the date of issue of this notice at …… District Court.

Note that the number of your effective penalty points as at date are……. points.

If you were not the driver/owner of the vehicle at the date and time specified, you should fill in Part B of this notice.

The photographic evidence may be viewed on written application made to the Commissioner of

Police, within 14 days of the date of issue of this notice against a payment of a processing fee of 100 rupees.

Date of issue ……

Signature of issuing officer …….

PART B

I (name) ……... wish to inform you that on (date)…… at (time)…….., I was not driving the abovementioned vehicle and the particulars of the owner! driver* who was driving my vehicle (*delete as applicable), at the date and time of the offence, are as follows —

Name ……

Address ……
Telephone No. (Home)…… Mobile No……
Signature of owner ……..Date……

This statement should be sent, within 14 days as from the date of issue of this notice, to the Commissioner of Police, Photographic Enforcement Device Unit, Traffic Branch, Line Barracks, Port Louis.

PART C - NOTICE TO DRIVER

To (Name of driver) —
……
The owner of the abovementioned vehicle has informed the police that you were the driver of the vehicle abovementioned on the date and at the time and place specified in this notice. You are required to effect payment of the penalty for the specified offence within 21 days of the date of issue of this notice.

PART D - PAYMENT INSTRUCTIONS

- Cheques must be made payable to the Government of Mauritius and the Photographic

Enforcement Device Notice Number (PEDN No …….. *)* must be mentioned on the verso of the cheque.

- The driver of the vehicle at the time of the offence shall appear personally to effect payment and shall produce this notice, his original driving licence together with the original paper counterpart and his National Identity Card.

PARTE

To be filled by District Court Officer

Name of offender —……

Driving licence number of offender

National Identity Card number of offender

Offence ……..

Number of penalty points allocated

To be read and filled by offender

Please note that payment of the fine at PartA constitutes an admission of the offence and when more than one road traffic offence have been committed on a single occasion, the number of penalty points to be allocated shall be the lowest number in respect of the offence carrying the highest range of penalty points only.

I agree that penalty points specified in the Penalty Points column above at Part A be allocated to me pursuant to sections 123AG and 195 of the Road Traffic Act —

Offence Code	

Signature of offender — …….

To be filled by District Court Officer

Date of payment — ……

……. …….

Name and signature of District Court Officer Date Date

Official Stamp of the Court

……..

FOURTH SCHEDULE
[Section 22]

NINTH SCHEDULE
[Section 123AG]

PART I – PENALTY POINTS CERTIFICATE
[Section 123AG of the Road Traffic Act]

Details of holder of driving licence

Surname ……. Driving Licence Number …….

Status of Driving Licence – Provisional/Competent*

Other Names …….

Whether holder of Instructor's licence - Yes/No*

NIC No ……..

Date of Birth …….

Address …….....

S.N.	Court	Cause No./ Ref No.	Offence code	Penalty points allocated	Effective Date	
					From	To
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
Total Effective Penalty Points						

Whether previously disqualified under section 123AH of the Road Traffic Act
Yes/ No*

Court/Cause No. – …… Date of disqualification – ……..

Date of issue of Certificate – ……..……..

……....

Signature of Licensing Officer

**delete as appropriate*

PART II – ENDORSEMENT CERTIFICATE
[Section 123AG of the Road Traffic Act]

Details of holder of driving licence

Surname …….

Driving Licence Number ……..…

Status of Driving Licence

Provisional/Competent*

Other Names ……

Whether holder of Instructor's licence - Yes/No*

NIC No ……..

Date of Birth …….

Address …….....

Court	Cause No. /ref. No.	Date of conviction	Date of offence	Fine Rs	Date of Disqualification	Disqualification period	Offence code	Penalty points awarded	Official Use
Whether driving licence is endorsed Yes/ No*									
Whether driving licence is cancelled Yes/ No*									

Date of issue of certificate:

Official stamp of the Court

……..
Signature of Court Officer

**delete as appropriate*

FIFTH SCHEDULE

[Section 22]

TENTH SCHEDULE

[Section 2]

DRIVING LICENCE

PART I – LICENSE CARD

GOVERNMENT OF MAURITIUS

DRIVING LICENCE

Road Traffic Act

Photograph of Holder

No……

Signature of licensee ……

Name ……

Surname ……..

Date of birth …….

Licence No ……..

Date of issue ……...

……
CoCommissioner of Police

TYPE OF VEHICLE	SEAL OF AUTHORITY		REMARKS
	L As from	**P** as from	
A Autocycle			
A1 Motorcycle			
B Private Car			
B1 Taxi			
B2 Van 2.5 tons			
C Goods Vehicle			
D Bus			
E Tractor on P Tyres			
E1 Track Tractor			
F Heavy Motor Car NE… Passengers			
F1 Heavy Motor Vehicle NE…… kilos			
G Any other Vehicles			

PART II – PAPER COUNTERPART OF DRIVING LICENCE

A Paper Counterpart shall be issued to the holder of a driving licence.

Important Document: The paper counterpart and driving licence card together make up the complete driving licence. Both must be produced when required.

Details of holder of driving licence

Surname …….

Other names …….

Licence number …….

NIC Number …….

Address …….

Date of birth …….

Endorsements (as supplied by convicting Court)

Court	Cause No/ PEDN No./FPN No.	Date of conviction	Penalty points	Date of offence	Fine	Disqualification period	Others	Date of expiry of penalty points	Offence Code	Official use

Date paper counterpart issued: ……

Signature of Licensing Officer: ……..

Barcode:

Or other security features

Official stamp of Licensing Authority