

## TRAFFIC (AMENDMENT) REGULATIONS 2012



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### TRAFFIC (AMENDMENT) REGULATIONS 2012

#### TRAFFIC ACT

IN EXERCISE of the powers conferred by section 40 of the Traffic Act, the Principal Licensing Authority makes the following Regulations -

#### 1 Short Title

This Regulations may be cited as the Traffic (Amendment) Regulations 2012.

#### 2 Regulation 39 amended

Section 39(3) of the Traffic Regulations is amended by repealing "Every" and replacing it with "In every case to which regulation 39A(2)(a)(i) does not apply a".

#### 3 Regulation 39A inserted

The Traffic Regulations is amended by inserting the following section –

#### "39A Infringement Notices

- (1) If a police officer considers that any person has committed an offence against any of the regulations specified in Form 8 he may issue to the person a Notice of Infringement in the Form set out in Form 8 of Schedule 1.
- (2)
- (a) A person issued with such a notice may —

- (i) pay the fine set out in the notice, applicable to the offence alleged, to a Magistrate's Court; or
- (ii) contest the notice.
- (b) Where the person wishes to contest the notice a summons will be issued for an offence against the relevant provision of these regulations.
- (3) The police officer who issues a Notice of Infringement under subsection (1) shall lodge the duplicate notice within 48 hours with the clerk of the Magistrate's Court for the district.
- (4) The Clerk of the Magistrate's Court shall
  - (a) where the fine is tendered by the person, receive the payment, issue a receipt and file the notice;
  - (b) where no payment is tendered within 21 days of the date of issue of the notice, issue a summons to the person for the offence alleged.
- (5) The summons shall be heard and determined by a Magistrate.".

#### 4 Form 8 inserted

The Traffic Regulations is amended by inserting in the First Schedule the following Form 8 –

## "FORM 8

## **Notice of Infringement**

## (Regulation 39A)

Date:
To of Licence No
(name) (address)
Vehicle Registered Number
The Police allege that you have committed an offence under the Traffic Regulations
If you choose to have this offence dealt with by way of payment of Infringement Notice in accordance with Regulation 39A you may pay the following fixed fine for this offence –
Regulation:
Offence:
Fixed Infringement Notice Fine:
To dispose of this matter in this way you may sign the declaration below and take this notice together with the sum of \$
OR
If you wish to contest this offence a summons will be issued to you after 21 days and you will be required to attend a court and appear before a Magistrate and if convicted the penalty will be decided by the Magistrate in accordance with the Traffic Regulations may be more than specified on the infringement notice.
DECLARATION:
I, (insert your name)
Signed
(see overleaf for list of offences and penalties)



## FORM 8 TRAFFIC REGULATIONS INFRINGEMENT NOTICE $\pmb{REVERSE\ SIDE}$

Traffic	Offence	Fixed
Regulation	Official	Penalty
regulation		\$
5(7)	Use of wrong registration number plate	30
10(1)	Failure to have vehicle inspected	30
11	Failure to install or use lights correctly	30
11(2), (3),	Failure to install proper lights	30
(6), (7), (8),		
10, 11		
11(4)	Incorrect focus and adjustment of lights	30
14	Use of improperly silenced vehicle	30
15	Use of unauthorized left hand drive	30
	vehicle	
16	Operation of unauthorized or incorrect	30
	trailer	
18	Incorrect towing	30
19	Incorrect parking	30
20	failure to observe rules of the road	30
22	Driving motor cycle without proper	30
	lights, brakes, etc	
22 (4)	Driving motor cycle with passenger	30
	incorrectly	
22 (5), (6)	Driving or riding in motor cycle without	30
	helmet	
23	Bicycle riding without proper lights	30
23(5)	Bicycle riding on footpath	30
24	Bicycle riding incorrectly	30
29	Taxi and bus offences	30
36	Riding on lorry etc while standing in	30"
	back	

Made in Nuku'alofa this 21st day of September 2012.

# Hon. Samiu Vaipulu Principal Licensing Authority