



GUYANA.

BILL NO. 31 OF 1970.

MOTOR VEHICLES AND ROAD TRAFFIC (AMENDMENT NO. 2) BILL, 1970.

Arrangement of Sections.

Section

1. Short title.
2. Amendment of section 2 of the Principal Ordinance.
3. Repeal and re-enactment of section 17 of the Principal Ordinance.

4. Amendment of section 78 of the Principal Ordinance.
5. Amendment of section 103 of the Principal Ordinance.
6. Amendment of section 113 of the Principal Ordinance.

A BILL

Intituled

AN ACT to amend the Motor Vehicles and Road Traffic Ordinance.

A.D. 1970 Enacted by the Parliament of Guyana :—

Short title

Cap. 280.

Amendment
of section 2
of the Princi-
pal Ordinance.

Repeal and
re-enactment
of section 17
of the
Principal
Ordinance.

1. This Act, which amends the Motor Vehicles and Road Traffic Ordinance, may be cited as the Motor Vehicles and Road Traffic (Amendment No. 2) Act, 1970.

2. Section 2 of the Principal Ordinance is hereby amended by the deletion of the definition of "Minister".

3. Section 17 of the Principal Ordinance is hereby repealed and the following section substituted therefor—

"Licence duty
for motor
vehicles

17. (1) There shall be charged, levied and paid in respect of motor vehicles used or kept for use on roads licence fees at the respective annual rates specified in the first schedule.

(2) The fees charged under this section shall be paid annually upon licences to be taken out by persons keeping vehicles for use, which licences shall expire on the 31st December of the year in respect of which such licences are issued:

Provided that where a vehicle is licensed for the first time on or after the 1st July in any year, the licence fee chargeable shall be fifty per cent of the annual fee.

(3) Licence fees shall be due on the 1st January in every year except in respect of vehicles being licensed for the first time, when the fees therefor shall be due at the time of the first registration in Guyana of such vehicles.

(4) No licence fee shall be payable in respect of any vehicle which is exempt from registration or from payment of a registration fee under section 7 or which is exempt under the provisions of the first schedule."

Amendment
of section 7
of the Princi-
pal Ordinance.

4. Section 78 of the Principal Ordinance is hereby amended by the substitution of subsection (1) of the following subsection —

“(1) For the purpose of driving a hire car licensed under this Part, the Prescribed Authority may, subject to such conditions as may be prescribed, grant to any fit and proper person a licence to drive a hire car if such person is the holder of a driver’s licence under Part V”.

5. Section 103 of the Principal Ordinance is hereby amended by the substitution of the expression “Minister” for expression “Governor in Council”. Amendment of Section 103 of the Principal Ordinance.

6. Section 113 of the Principal Ordinance is hereby amended by the addition thereto of the following subsection — Amendment of section 113 of the Principal Ordinance.

“(4) Notwithstanding anything to the contrary in any law, a reading taken of the speed or weight of a vehicle at a particular time or place by a machine designed for the respective purpose may, without prejudice to the admissibility or acceptance of such reading as evidence other than as provided herein, be given in evidence at the trial of an offence relating to the alleged excessive speed or weight of the vehicle by the oral testimony of a police constable who observed the reading, and such evidence shall be *prima facie* evidence of the speed or weight, as the case may be, of the vehicle”.

EXPLANATORY MEMORANDUM

Clause 2 of the Bill deletes the definition of Minister from the Motor Vehicles and Road Traffic Ordinance. By virtue of the provisions of the Interpretation and General Clauses Act, 1970, a specific definition of the word “Minister” is not necessary in this instance.

Clause 3 of the Bill seeks to repeal and re-enact section 17 of the aforesaid Ordinance to provide that licences for vehicles shall expire on the 31st December of the year in respect of which they are issued and to permit the issue of a half year licence only in respect of a vehicle being licensed for the first time after the end of June in any year.

An intended applicant for a licence to drive a hire car is required by the Prescribed Authority to be a fit and proper person and the holder of a driver’s licence issued under section 29 of the aforementioned Ordinance. Clause 4 of the Bill seeks to amend section 78 of the said Ordinance so as to enable additional requirements to be prescribed for such an applicant.

Clause 5 seeks to make the powers presently exercised by the President under section 103 of the Ordinance, the responsibility of the Minister.

The constant need to ensure the observance of the maximum speed limits or the maximum laden weight by vehicles using the roads of Guyana requires the use by the enforcement authorities of machines constructed for the purpose of ascertaining at a particular time the speed or weight of a vehicle. Clause 6 of the Bill seeks to make provision in the Motor Vehicles and Road Traffic Ordinance for evidence of the readings taken by such machines to be regarded as *prima facie* evidence of the speed or weight of the vehicle.

MOHAMED KASIM,
Minister of Communications.

(Bill No. 31/1970)

(C—2/2/3/6)