



REPUBLIC OF NAURU

MOTOR TRAFFIC (TRAFFIC INFRINGEMENT NOTICES) (AMENDMENT) NO. 2 REGULATIONS 2020

SL No. 30 of 2020

Notified: 22nd September 2020

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Cabinet makes the following Regulations under *Section 117* of the *Motor Traffic Act 2014*:

1 Citation

These Regulations may be cited as the *Motor Traffic (Traffic Infringement Notices) (Amendment) No. 2 Regulations 2020*.

2 Commencement

These Regulations come into effect on the day they are notified in the Gazette.

3 Amendment of Motor Traffic (Traffic Infringement Notices) Regulations 2018

The *Motor Traffic (Traffic Infringement Notices) Regulations 2018* are amended by the provisions of these Regulations.

4 Amendment to Regulation 6

Regulation 6 is deleted and substituted as follows:

6 Prescribed Traffic Infringement Notice

For the purposes of *Section 117(2)(c)* of the Act, the Traffic Infringement Notice which a Police officer may serve to an offender shall be in:

- (a) the prescribed form in Schedule 2; or
- (b) the prescribed form in Schedule 2A.

SCHEDULE 2A

TRAFFIC INFRINGEMENT NOTICE – FIXED PENALTY

[Section 117(2)(c); Regulation 6]

<p>This Traffic Infringement Notice is issued pursuant to the powers given to the Nauru Police Force for an infringement of the Motor Traffic Act 2014 and the Motor Traffic (Traffic Infringement Notices) Regulations 2018.</p> <p>Important Notice: The consequence of not paying a penalty or fine will result in:</p> <ul style="list-style-type: none"> (i) the driver’s licence not being renewed until such time the penalty or fine is paid; and (ii) the case of unregistered or defective vehicles, the vehicle shall not be registered unless the penalty and fine are paid. 	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Infringement Notice No.:</td> <td></td> </tr> <tr> <td>Date of Issue:</td> <td></td> </tr> <tr> <td>Penalty Due:</td> <td></td> </tr> <tr> <td>Due date:</td> <td></td> </tr> <tr> <td colspan="2" style="padding: 5px;">Payment must be made at the Nauru Revenue Office within 21 days from the date of service of this infringement notice.</td> </tr> </table>	Infringement Notice No.:		Date of Issue:		Penalty Due:		Due date:		Payment must be made at the Nauru Revenue Office within 21 days from the date of service of this infringement notice.	
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<p><u>PART 1 – OFFENCE DETAILS</u></p> <p>Offender: Surname: Given Names:</p> <p>Nature of Offence: contrary to Section of the Motor Traffic Act 2014 and Regulation 4 of the Motor Traffic (Traffic Infringement Notices) Regulations 2018 -</p> <p>Location: Date: Time:</p> <p>Address: Phone number:</p> <p>Driver Licence Number: Licence Class: Licence Expiry Date:</p> <p>Vehicle Registration Number: Vehicle Model: Vehicle Colour:</p> <p>Police Officer’s Signature: Police Officer’s Name:</p> <p>Date: / / 20....</p> <p><i>Acknowledgement of Service of Infringement Notice by:</i> <i>Name and Signature:</i></p> <p>Note: 1. This Notice must only be served to the Offender at the time of the offence or as soon as practicable. 2. If the offender refuses to accept the Notice, he or she commits an offence under Section 118(7) for which he or she is liable to a fine not exceeding \$5,000.</p>											
<p><u>PART 2 – TIME FOR PAYMENT OF PENALTY</u></p> <p>A. Take Notice that the penalty shall be paid to the Nauru Revenue Office within 21 days of the date of the issuance of this infringement notice. Failure or late payment of the penalty will result in payment of additional costs in the sum of \$.....</p> <p>B. Contesting the Infringement Notice If you intend to defend or contest the Notice, you are to appear in person or by a legal representative in court on the date and time provided in Part 3.</p>											
<p><u>PART 3 – NOTICE TO ATTEND TO COURT</u></p> <p>Take Notice that if you intend to contest or defend this notice, you must attend the District Court at Yaren on day the day of 20.... atnoon for the hearing. If you fail to attend the hearing, the court will proceed to hearing of the infringement notice in your absence and impose a fine and costs. If you fail to pay the fine and costs ordered by the court, you will be arrested under a committal warrant without any further notice.</p>											

	Section of the Act	Fixed Penalty Offences	Fixed penalty	Court costs	Penalty under the Act
1	18(2)	Driving motor vehicle with another vehicle's registration number	\$300.00	\$100.00	\$500.00
2	20(2)(a)	No valid driver's licence	\$50.00	\$100.00	\$100.00
3	20(2)(b)	Driving vehicle of different class from that in driver's licence	\$50.00	\$100.00	\$100.00
4	20(4)	Failure to carry and to produce driver's licence	\$75.00	\$100.00	\$200.00
5	23(5) and (6)	Driving between 7pm and 7am on a learner's permit	\$75.00	\$100.00	\$200.00
6	24(2)	Failure to produce learner's permit	\$50.00	\$100.00	\$100.00
7	30(4)	Failure to carry and to produce on request foreign driver's licence	\$100.00	\$100.00	\$200.00
8	37	Disobeying speed limit	\$100.00	\$100.00	\$300.00
9	50 (2)	Driving at night without operating lights	\$100.00	\$100.00	\$200.00
10	57(4)	Riding or driving a motorcycle without a helmet	\$100.00	\$100.00	\$200.00
11	58 (1)	Driving with more than one person on the motorcycle	\$150.00	\$100.00	\$300.00
12	58(2)	Driving motorcycle and carrying child under 5 years in back tray or directly behind driver	\$300.00	\$100.00	\$500.00
13	60(1)	Not wearing seat belt while travelling in a motor vehicle in excess of the prescribed speed limit	\$75.00	\$100.00	\$200.00
14	60(2)(a)	Passenger under 5 years not seated in back and not wearing seat belt	\$75.00	\$100.00	\$200.00
15	60(2)(b)	Passenger in front seat not wearing seat belt	\$75.00	\$100.00	\$200.00
16	60(2)(c)	Passenger under 5 years seated in middle of back seat not wearing seat belt	\$75.00	\$100.00	\$200.00
17	60(2)(d)	Driver not wearing seat belt	\$75.00	\$100.00	\$200.00
18	61(1)	Passenger under 5 years seated in front seat of vehicle	\$100.00	\$100.00	\$200.00
19	61(4)	Driving and allowing passenger under 12 years to be seated in back tray of vehicle without an adult	\$150.00	\$100.00	\$500.00
20	61(5)	Driving and allowing another person to be seated behind wheel of vehicle on public road	\$150.00	\$100.00	\$500.00
21	63(3)	Person:- (i) traveling on any part of the vehicle not designed for passenger carriage; (ii) standing on or in any part of moving vehicle; (iii) traveling in motor vehicle part of body outside a window or door.	\$75.00	\$100.00	\$200.00
22	65(1)	Driving unregistered motor vehicle	\$100.00	\$100.00	\$500.00 – including vehicle impounded
23	65(2)	Owner allowing unregistered vehicle to be driven on road	\$100.00	\$100.00	\$500.00 – including vehicle impounded
24	66	Driving across sidewalk for parking or turning vehicles	\$50.00	\$100.00	\$100.00
25	68	Failure or refusal to give name	\$100.00	\$100.00	\$200.00
26	82	Failure or refusal to provide information	\$100.00	\$100.00	\$200.00

