

THE ROAD TRAFFIC (AMENDMENT NO. 2) BILL
(No. XLI of 2008)

Explanatory Memorandum

The object of this Bill is to amend the Road Traffic Act in order to more effectively enforce the law by providing the issue of fixed penalty notices for offences detected by means of a prescribed device, like a photographic enforcement device.

A. K. BACHOO
*Minister of Public Infrastructure,
Land Transport and Shipping*

05 December 2008

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ARRANGEMENT OF CLAUSES

Clause

1. Short title
2. Interpretation
3. New section 195 added

A BILL

To amend the Road Traffic Act

ENACTED by Parliament of Mauritius as follows –

1. Short title

This Act may be cited as the Road Traffic (Amendment No. 2) Act 2008.

2. Interpretation

In this Act –

“principal Act” means the Road Traffic Act.

3. New section 195 added

The principal Act is amended by adding after section 194 the following new section.

195. Offences established by means of prescribed device

(1) Notwithstanding this Act or any other enactment, where the commission of any offence specified in the Fourth Schedule is detected by means of a prescribed device, a police officer may serve such notices on such persons, and in such manner, as may be prescribed.

(2) Every person served with a notice under this section may, notwithstanding the provisions of this Act and subject to such regulations as may be made, pay the prescribed penalty, within the delay and at the place prescribed.

(3) Where the penalty specified in subsection (2) is not paid, criminal proceedings shall be instituted against such persons as may be prescribed.

(4) Notwithstanding section 130, where a person who has committed an offence against section 124 has been served with a notice under subsection (1), it shall not be necessary, for the purpose of any criminal proceedings that may subsequently be instituted against him for that offence, to serve a notice under section 130.
