

THE UNITED REPUBLIC OF TANZANIA



No. 12 OF 1965

I ASSENT,

Julius K. Nyerere
President

24TH MARCH, 1965

An Act to amend the Traffic Ordinance

[.....]

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the Traffic Ordinance (Amendment) Act, 1965, shall be read as one with the Traffic Ordinance, and shall come into operation upon such date as the Minister shall, by notice published in the *Gazette*, appoint. Short title, construction and commencement Cap. 168

2. The Traffic Ordinance is hereby amended by adding, immediately below section 22, the following new section: — New section 22A added to Cap. 168

“Powers of court where driver convicted of five or more offences

22A.—(1) In addition to any other power to petition a district court for an order directing a licensing authority to revoke a driving licence or a provisional licence, a police officer not below the rank of assistant superintendent shall have power, either at the conclusion of other proceedings against the licensee or in separate proceedings, to apply to a district court for an order directed to a licensing authority to revoke a driving licence or a provisional licence issued to any person who has been convicted of five or more offences to which this section applies; and upon such an application and after giving the licensee an opportunity of advancing any special reasons why such order should not be made, the court shall make an order directed to the licensing authority to revoke the licence unless it is satisfied that there are special reasons why such order should not be made.

(2) Upon the hearing of any application under this section the court may require the production of the licence and, if it makes an order for the revocation thereof, the court shall send the licence to the licensing authority.

(3) This section applies to any offence against this Ordinance or the rules made hereunder which was committed whilst the licensee was the driver or in charge of a motor vehicle and to any offence under any other law in force in Tanganyika which was committed whilst the licensee was driving a motor vehicle and which has caused the death or injury of, or danger of death or injury to, any other person:

Provided that no offence shall be taken into account for the purposes of subsection (1) of this section unless it was committed on a separate occasion from those on which the other offences taken into account were committed."

Section 23 of
Cap. 168
amended

3. Section 23 of the Traffic Ordinance is hereby amended as follows: —

- (a) by deleting the words and figures "or section 22" in subsection (1) and subsection (2) and by substituting therefor in each case the comma, words, figures and letter ", section 22 or section 22A";
- (b) by adding, immediately below subsection (3), the following new subsection: —

"(4) If any person whose driving or provisional driving licence has been revoked or to whom the issue or renewal of a licence has been refused under section 22 or section 22A applies for a licence to drive a motor vehicle in contravention of subsection (2), or if any such person drives a motor vehicle during the period when he is prohibited by that subsection from applying for such licence, he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two thousand shillings or to imprisonment for a term not exceeding six months or to both such fine and imprisonment."

Section 24 of
Cap. 168
amended

4. Subsection (1) of section 24 of the Traffic Ordinance is hereby amended by deleting the words "of the conviction and" in the sixth line of paragraph (a) and the tenth and eleventh lines of paragraph (b) thereof.

New section
24A added to
Cap. 168

5. The Traffic Ordinance is hereby amended by adding, immediately below section 24, the following new section: —

"Convictions of drivers to be endorsed on licences 24A. Where a court convicts any person of an offence against this Ordinance or the rules made hereunder which was committed whilst such person was the driver or in charge of a motor vehicle, or of an offence against any other law in force in Tanganyika which was committed whilst such person was driving a motor vehicle and which caused the death or injury of, or danger of death or injury to, any other person, the court shall order that the prescribed particulars of the conviction shall be endorsed on such person's licence."

6. Section 25 of the Traffic Ordinance is hereby amended as follows: — Section 25 of
Cap. 168
amended

(a) by deleting paragraph (a) of subsection (2) and by substituting therefor the following new paragraph: —

“(a) if the offender is at the time the holder of a licence, he shall—

(i) if present in court with his licence, be required to produce the same forthwith for endorsement; or

(ii) in any other case, be required to produce the licence within five days or such longer period as the court may determine for the purpose of endorsement; or”;

(b) by deleting the word and figure “section 24”, in the second line of subsection (5) and by substituting therefor the word, figure and letter “section 24A”;

(c) by inserting immediately after the word “licence”, in the third line of the proviso to subsection (5), the words and figures “or prohibited from applying for a licence under section 23”.

7. Subsection (3) of section 47 of the Traffic Ordinance is hereby amended by inserting, immediately after the word “liable” in the second line, the words and figures “under section 24”. Section 47 of
Cap. 168
amended

8. Subsection (3) of section 70A of the Traffic Ordinance (as set out in section 6 of the Traffic Ordinance (Amendment) Act, 1962) is hereby amended as follows: — Section 70A of
Cap. 168
amended
Acts 1962
No. 55

(a) by inserting, immediately after the word “guilty” in the seventh line of paragraph (a), the words and commas “and, in any case where the notification so requires, his driving licence or provisional licence”; and

(b) by inserting, immediately after the word “notification” in the twenty-third line of that subsection, the brackets, words and commas “(and, in any case in which he pleads guilty and the notification so requires, his driving licence or provisional licence)”.

9. The Second Schedule to the Traffic Ordinance (as set out in section 8 of the Traffic Ordinance (Amendment) Act, 1962) is hereby amended as follows: — Second
Schedule to
Cap. 168
amended

(a) by inserting, immediately below paragraph 3 on the first page of the notification therein the following new paragraph: —

“3A. If you plead guilty to any offence in Part I of the list of Scheduled Offences other than number 4, your driving licence/provisional licence must accompany this form when sent to the court”; and

- (b) by adding, immediately after the word "guilty" in the last paragraph of the Admission of Guilt in such notification the words "and my driving/provisional licence".

Passed in the National Assembly on the seventeenth day of March, 1965.


Clerk of the National Assembly

