

GOVERNMENT OF ZAMBIA

ACT

No. 22 of 2000

Date of Assent: 23rd December, 2000

An Act to amend the Roads and Road Traffic Act

[29th December, 2000

ENACTED by the Parliament of Zambia.

Enactment

1. (1) This Act may be cited as the Roads and Road Traffic (Amendment) Act, 2000 and shall be read as one with the Roads and Road Traffic Act, in this Act referred to as the principal Act.

Short title and Commencement

(2) Subject to subsection (3), this Act shall come into operation on the date of publication.

Cap. 464

(3) Sections *four* and *six* shall come into operation on such date as the Minister may, by statutory instrument, appoint.

2. Section *two* of the principal Act is amended by the insertion in the appropriate places of the following new definitions:

Amendment of section 2

“ Customs Clearance Certificate ” shall have the meaning assigned to it by section *sixty-six*;

“ Interpol ” means the International Criminal Police Organisation;

“ Interpol Clearance Certificate ” means a certificate issued by an Interpol officer under section *sixty-five A*.

3. The principal Act is amended by the insertion immediately after section *sixty-five* of the following section:

Insertion of new section 65A

65A (1) Notwithstanding the other provisions of this Act, where a motor vehicle is imported into Zambia the owner or person in charge of the motor vehicle shall produce, to a customs officer at a port of entry, a declaration under the Customs and Excise Act in respect of the motor vehicle.

Motor vehicle to be cleared by customs and Interpol
Cap. 322

Cap. 322

(2) Where a declaration or certificate is produced under subsection (1) the officer shall, upon being satisfied that it complies with the Customs and Excise Act, issue a Customs Clearance Certificate.

(3) The motor vehicle together with the Customs Clearance Certificate issued under subsection (2) shall be presented to an Interpol officer at the port of entry or if the Interpol office is at Lusaka or at a place of some considerable distance from the port, the owner or person in charge of the motor vehicle shall, within thirty days of declaring the vehicle to customs, present the vehicle to an Interpol officer for verification of the engine number, the chassis number, colour and any other identification of the motor vehicle and the officer shall, if satisfied with the authenticity of the identity of the motor vehicle and the legitimacy of the ownership of the motor vehicle, issue an Interpol Clearance Certificate.

(4) Where a motor vehicle is acquired in Zambia, the person who acquires the motor vehicle shall, within thirty days of the acquisition, present the vehicle together with the letter of sale, the change of ownership certificate and the registration document of the motor vehicle at the Zambia Police Headquarters in Lusaka or at the provincial headquarters for Interpol clearance.

(5) A person who fails to comply with subsection (1), (3) or (4) or who presents a false declaration to a customs officer commits an offence and is liable, upon conviction, to a fine not exceeding thirty thousand penalty units or to imprisonment for a term not exceeding three years or to both.

Amendment
of section 66

4. Section *sixty-six* of the principal Act is amended—

(a) in subsection (3) by the deletion of the words “ a registered letter or letters and a number which shall become the registration mark of such motor vehicle ” and the substitution thereof of the words “ a registration mark and number containing such features as the minister may, by statutory instrument, prescribe and such registration mark and number shall not be transferrable on the sale or disposal of the motor vehicle ”;

(b) by the insertion immediately after subsection (3) of the following new subsection:

(3A) Notwithstanding the other provisions of this section, all motor vehicles shall be registered using the series of registration marks ending with ZM from such date as the Minister may, by statutory instrument, appoint.

5. The principal Act is amended by the insertion, immediately after section *sixty-six* of the following new section:

Insertion of
new section
66A

66A (1) A person shall at the time of the sale or delivery of a motor vehicle furnish to the purchaser a letter of sale and change of ownership certificate affecting the sale.

Sale or
transfer of
motor
vehicle

(2) A person shall at the time of transfer or delivery of a motor vehicle furnish to the person to whom the motor vehicle is transferred or delivered a change of ownership certificate effecting the transfer .

(3) A letter of sale or change of ownership certificate effecting the sale or transfer of ownership of a motor vehicle under subsection (1) or (2) shall be in the prescribed form specifying—

(a) in the case of a seller or transferor, the seller or transferor's full names and physical address; or

(b) in the case of a motor dealer, the motor dealer's full names, business name and address;

and affirming that the motor vehicle in question has been lawfully sold or transferred to the purchaser or transferee, and the letter of sale or change of ownership certificate shall be duly signed or endorsed by the seller, transferor, or motor dealer.

(4) A person who contravenes sub-section (1) or (2) commits an offence and shall be liable, upon conviction, to a fine not exceeding one thousand six hundred and sixty-six penalty units, or to imprisonment for a period not exceeding three years or to both.

6. The principal Act, is amended by the insertion, immediately after section *eighty-one*, of the following new sections:

Insertion of
new section
81A

81A (1) A person who manufactures a registration mark and number plate shall obtain a permit from the Commissioner and comply with such terms and conditions as the Commissioner may determine.

Prohibition of
manufacture
of number
plates without
serial number

(2) Any person who contravenes subsection (1) commits an offence and is liable, upon conviction to a fine not exceeding one hundred and sixty-one thousand penalty units or to imprisonment for a term not exceeding five years, or to both.

(3) A third copy of the registration mark and number plate shall be a self destructive sticker which shall be affixed inside of the windscreen with a holographic film and shall have all the information of the registration mark and number plate and the sticker have the words ' the Roads and Traffic Regulations ' written on it'.

Amendment
of section 82

7. Section *eighty-two* of the principal Act is amended by the insertion immediately after sub-section (1) of the following new subsection:

(1A) A person who knowingly drives or is in charge or control of a motor vehicle which bears a false or no registration mark commits an offence and is liable, upon conviction, to a fine not exceeding one hundred and sixty-one thousand penalty units or to imprisonment for a term not exceeding five years, or to both.

Amendment
of section
122

8. Section *one hundred and twenty-two* of the principal Act is amended by the insertion immediately after sub-section (1) of the following new subsection:

(1A) Any court before which a person is convicted of the offence of theft of motor vehicle under the Penal Code shall, if the person convicted holds a driving licence granted in Zambia or a driving licence granted in any other country and which is valid in Zambia, suspend the licence for a period twice the term of imprisonment to which the person is sentenced:

Provided that where a person is convicted for the third time the court shall cancel the person's driving licence and declare the person disqualified from obtaining another licence in Zambia for life.
