

STATUTORY INSTRUMENTS

SUPPLEMENT No. 20

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STATUTORY INSTRUMENTS SUPPLEMENT

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STATUTORY INSTRUMENTS 2012 No. 43.

THE Traffic and Road Safety (Vehicle Registration, Licensing and Third Party Insurance)
(Amendment) Regulations, 2012.

arrangement of regulations.

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STATUTORY INSTRUMENTS

2012 No. 43.

The Traffic and Road Safety (Vehicle Registration, Licensing and Third Party Insurance) (Amendment) Regulations, 2012.

(Under section 178 of the Traffic and Road Safety Act Cap 361)

In exercise of the powers conferred upon the Minister responsible for Works and Transport by section 178 of the Traffic and Road Safety Act Cap 361, these Regulations are made this 11th day of June, 2012.

Title.

These Regulations may be cited as the Traffic and Road Safety (Vehicle Registration, Licensing and Third Party Insurance) (Amendment) Regulations, 2012.

Amendment of regulation 3.

Regulation 3 of the Traffic and Road Safety (Vehicle Registration, Licensing and Third Party Insurance) Regulations SI 361-2 in these regulations referred to as the Principal Regulations, is amended by deleting the word “duplicate”.

Amendment of regulation 5.

Regulation 5 of the Principal Regulations is amended by—

substituting for the word, “delivering” the word “submitting”; and

substituting for the words “First Schedule” the words, “Second Schedule”.

Amendment of regulation 6.

Regulation 6 of the Principal Regulations is amended—

in subregulation (1)(b) by substituting for the word “deliver” the word “submit”; and

in subregulation (1)(d) by substituting for the word “deliver”
the word “submit”.

Amendment of regulation 7.

Regulation 7 of the Principal Regulations is amended by inserting immediately after the word, “Every” the words, “application form,”

Replacement of regulation 9.

Regulation 9 of the Principal Regulations is amended by substituting for regulation 9 the following—

“9. Registration plates and dealer’s plates.

Every registration plate and dealer’s plate shall be made of metal, or other material approved by the Minister by notice published in the Gazette and shall be embossed and serially numbered, with a reflective background in glazed material and shall be of such colour, shape and size, containing such marks, letters and numbers of such shape and size as are similar to the appropriate forms set out in the Third Schedule and which comply with the specifications set out in that Schedule.

The licensing officer shall, on an application for a registration plate, issue to the person in whose name the vehicle is registered, an order in the form prescribed in form 7 in the Second Schedule authorising the authorised manufacturer of vehicle registration plates to make a registration plate or plates for the vehicle in respect of which the application is made.

The licensing officer shall submit the order form to the authorized manufacturer specified in the form referred to in sub regulation (2).

The applicant shall pay to the manufacturer a gazette price for the registration plate.

An authorised manufacturer shall make, for the purposes of this regulation and in accordance with the specifications set out in this regulation—

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one pair of registration plates for each motor vehicle, comprising front registration plate and rear registration plate;

one rear registration plate for a trailer or semitrailer;

one or two registration plates for each engineering plant as specified in the order form referred to in subregulation

; or

one rear registration plate for each motorcycle.

The authorised manufacturer of vehicle registration plates shall deliver any registration plate made by him or her to the owner of the vehicle.

An authorised manufacturer of vehicle registration plates shall make quarterly returns to the chief licensing officer on all registration plates manufactured by him or her, and the returns shall contain such information as the chief licensing officer may specify in writing.

The chief licensing officer may, in writing, require from an authorised manufacturer of vehicle registration plates any other information as the chief licensing officer may require ensuring compliance with these Regulations.

Every registration plate issued under this regulation shall be returned to the chief licensing officer or a licensing officer as provided by the Act and these Regulations or whenever the chief licensing officer or the licensing officer requires it to be returned.

A person who is not an authorised manufacturer of vehicle registration plates shall not make any vehicle registration plate.

In this regulation, an “authorised manufacturer of vehicle registration plates” means a person who has been authorised by the Minister by notice in the Gazette to manufacture vehicle registration plates.”

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Amendment of regulation 11.

Regulation 11(1) of the Principal Regulations is amended by—

deleting the words, “in triplicate”; and

substituting for the words, “Fourth Schedule” the words,

“Second Schedule”.

Replacement of regulation 12.

Regulation 12 of the Principal Regulations is amended by substituting

for regulation 12 the following—

“12. Duplicate or reprinted licence or registration book.

If a licence or a registration book issued by the chief licensing officer under these Regulations is lost, destroyed, mutilated or defaced or the figures and particulars on the licence or registration book have become illegible or their colour has become altered by fading or otherwise, the owner of the vehicle shall apply, in the prescribed form, to the chief licensing officer with whom the vehicle is registered for a duplicate licence or registration book, as the case may be; and the chief licensing officer upon being satisfied as to the loss, destruction, mutilation, defacement, illegibility or alteration shall, on payment of the prescribed fee, issue a duplicate, and the duplicate so issued shall have the same effect as the original licence or registration book.

Notwithstanding subregulation (1) of this regulation, where the chief licensing officer is satisfied that the figures or particulars have become illegible or the colour of the licence or registration book has become altered by fading or otherwise without any act or neglect on the part of the holder of the licence, the licensing officer shall issue a duplicate free of charge; or a reprint free of charge where the reprinted licence or registration book issued is similar to the original.

An application under subregulation (1) of this regulation shall, wherever possible, be accompanied by the registration book or licence, as the case may be.

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In the case of the loss of any licence or registration book, if at any time after the grant or issue of a duplicate or reprint of the licence or registration book the original licence or registration book is found, the owner of the vehicle shall return it to the chief licensing officer who granted or issued the duplicate or reprint of the licence or registration book.

The chief licensing officer shall note the issue of a duplicate or reprint registration book, duplicate or reprint vehicle licence or duplicate or reprint dealer's vehicle licence in the appropriate register."

Amendment of regulation 13.

Regulation 13 (1) of the Principal Regulations is amended by substituting for the words, "in writing" the words "in the prescribed form set out in the Second Schedule to these Regulations".

Amendment of regulation 17.

(1) Regulation 17 of the Principal Regulations is amended by—

by renumbering the current regulation as subregulation (1) and substituting for the words, "Fourth Schedule" the words, "Second Schedule"; and

by inserting a new sub regulation (2) as follows—

“(2) The licensing officer shall issue a deregistration certificate to the owner of a de-registered vehicle as set out in form 6 of the Second Schedule to these Regulations.”

Amendment of regulation 18.

Regulation 18 of the Principal Regulations is amended by substituting for the words, “Fourth Schedule” the words, “Second Schedule”.

Replacement of regulation 20.

Regulation 20 of the Principal Regulations is amended by substituting it with the following—

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“20. The fees payable under these Regulations shall be as prescribed in the First Schedule to the Finance Act of 2009.”

Amendment of regulation 21.

Regulation 21 of the Principal Regulations is amended by—

substituting for the words, “one thousand shillings” the words, “thirty currency points”; and substituting for the words, “three months” the words, “ten months”.

Replacement of schedules.

The Schedules to the Principal Regulations are replaced with the following new schedules—

First Schedule - Currency point; and

Second Schedule - Forms.

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FIRST SCHEDULE

Regulation 12 & 14

CURRENCY POINT

A currency point is equivalent to twenty thousand shillings.

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SECOND SCHEDULE

FORMS

Form 1: Vehicle Application Form

2) Name of Applicant (Individual): (In case of a minor, only details of the Guardian should be provided.)

a) Title
(Optional)

b) Surname/Maiden
Name

c) First Name

d)
Middle
Name

f) Family/Father's Surname (If Different
from Surname)

h) Date of Birth

3) Name of Applicant (Non
Individual):

4) Do you have a TIN?