

REPUBLIC OF KIRIBATI
(No. 9 of 2000)

I assent,


Beretitenti.

09/07/2000

AN ACT TO AMEND THE TRAFFIC ORDINANCE (Cap. 98)

Commencement:

MADE by the Maneaba ni Maungatabu and assented to by the Beretitenti.

Short title

1. This Act may be cited as the Traffic (Amendment) Act 2000.

Amendment of section 23

2. Section 23 of the Traffic Ordinance (in this Act referred to as the "principal Ordinance") is amended as follows –

- (a) by repealing "\$100" and substituting "\$500".
- (b) by repealing "6 months" and substituting "18 months".

Amendment of section 24

3. Section 24 of the principal Ordinance is amended as follows –

- (a) in subsection (1) -
 - (i) by repealing "\$200" and substituting "not less than \$250 and not more than \$500";
 - (ii) by repealing "1 year" and substituting "5 years"; and
- (b) in subsection (2) by repealing "5 years" and substituting "life".

Amendment of section 25

4. Section 25 of the principal Ordinance is amended in subsection (1) as follows –

- (a) by repealing "\$200" and substituting "not less than \$250 and not more than \$500".
- (b) by repealing "6 months" and substituting "5 years".

Amendment of section 26

5. Section 26 of the principal Ordinance is amended in subsection (1) as follows –
- (a) by repealing "\$200" and substituting "not less than \$250 and not more than \$500"; and
 - (c) by repealing "1 year" and substituting "5 years".

Amendment of section 28

6. Section 28 of the principal Ordinance is amended in subsection (1) by repealing "may" and substituting "shall".

TRAFFIC (AMENDMENT) ACT 2000**EXPLANATORY MEMORANDUM**

Kiribati has over the past years experienced an influx of imported motor vehicles mainly cars and buses concentrating on South Tarawa, a trend which is to continue for years to come. With the condition of the road on South Tarawa at present, accidents are frequent especially by private buses who have completely disregarded the speed limits and other users of the road for their benefits. Accidents have costed the lives of innocent citizens who have the same right to use the public road as cars or buses. These accidents have been caused through careless driving, reckless driving, driving away a vehicle without the consent of the owner or through driving whilst under the influence of alcohol.

The main object of this Act is to increase the penalty for those violators of the Traffic Ordinance, to deter others from committing the same offences and to discourage others from attempting to do so.

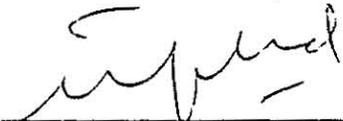
The amendments appearing in this Act amending the Traffic Ordinance (Cap. 98) are as follows –

1. Clause 2 amends section 23 in respect of careless driving by increasing the penalty from \$100 to \$500 and from 6 months to 18 months. This is triable in the Magistrates Court.
2. Clause 3(a) amends section 24 in respect of reckless driving by increasing the penalty from \$200 to a mandatory minimum of \$250 and a maximum of \$500 and from 1 year to 5 years. This is triable in the Magistrates Court.
3. Clause 3(b) amends subsection (2) of section 24 by increasing the penalty of causing death by reckless driving from 5 years to life imprisonment. This will now remove the offence from the jurisdiction of the Magistrates court and vest it in the High Court.
4. Clause 4 amends section 25 in respect of taking vehicles without authority from the owner by increasing the penalty from \$200 to a mandatory minimum of \$250 and a maximum of \$500 and from 6 months to 5 years. This is triable in the Magistrates Court.
5. Clause 5 amends section 26(1) in respect of Drunk Driving by increasing the penalty from \$200 to a mandatory minimum of \$250 and a maximum of \$500 and from 1 year to 5 years. This is triable in the Magistrates Court.
6. Clause 6 amends section 28 by making compulsory the disqualification of drivers found guilty of the offences under this Act. This is an order made by the Magistrates Court.

Michael N. Takabwebwe
Attorney General
4 May 2000

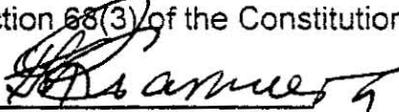
**CERTIFICATE BY THE CLERK OF THE MANEABA NI
MAUNGATABU**

This printed impression of the Traffic (Amendment) Act 2000 has been examined by me with the Bill which was passed by the Maneaba ni Maungatabu on 27 June, 2000, and is found by me to be a true and correctly printed copy of the said Bill.


NATAN BRECHTEFELD
Clerk of Parliament

**CERTIFICATE OF THE SPEAKER OF THE MANEABA NI
MAUNGATABU**

I certify that the above Act was passed by the Maneaba ni Maungatabu on a Certificate of Urgency under Section 68(3) of the Constitution.


HON. TEKIREE TAMUERA
Speaker

**PUBLISHED BY EXHIBITION AT THE MANEABA NI MAUNGATABU THIS — DAY
OF _____, 2000.**

Clerk of Maneaba ni Maungatabu