

LAND TRANSPORT ACT 1998

**Land Transport (Prescribed Forms) (Amendment)
Regulations 2017**

IN exercise of the powers conferred on me by section 113 of the Land Transport Act 1998, I hereby make these Regulations—

Short title and commencement

1.—(1) These Regulations may be cited as the Land Transport (Prescribed Forms) (Amendment) Regulations 2017.

(2) These Regulations come into force on a date appointed by the Minister by notice in the Gazette.

Schedule amended

2. The Schedule to the Land Transport (Prescribed Forms) Regulations 2000 is amended by deleting Form 1 and substituting the following—

“FORM 1 – TRAFFIC INFRINGEMENT NOTICE

LAND TRANSPORT (TRAFFIC INFRINGEMENT NOTICE) REGULATIONS 2017

(Regulation 5(5)(a))

**LAND TRANSPORT AUTHORITY
TRAFFIC INFRINGEMENT NOTICE**

TRAFFIC INFRINGEMENT NOTICE NO.:

To: _____ (Name)

of _____ (Address)

OR

The driver (or registered owner): _____, of

Motor Vehicle Registration No.:

Statement of Offence: _____

Particulars of Offence: _____

Contrary to:

1. This offence carries a maximum penalty of \$ _____ and _____ demerit points. If you do not wish to contest this Notice, you are required to pay a Fixed Penalty of \$ _____ to the Land Transport Authority.
2. The payment of the Fixed Penalty is due within 90 days from the date of issue of this Notice and is payable at any Land Transport Authority Office nearest to you. All liability in respect of the offence will be discharged and no further action will be taken against you with respect to this particular offence.
3. If you were not the driver of the motor vehicle at the time of the offence and wish to contest this Notice, you must fill in a Statutory Declaration Form and disclose to the Land Transport Authority the name and address of the driver of the motor vehicle at the time of the offence (including other relevant information and necessary documentation) within 90 days from the date of issue of this Notice.
4. If you wish to contest this Notice for any other reason, you may elect to dispute this Notice in court.
5. If you fail to pay the Fixed Penalty, provide a Statutory Declaration or dispute this Notice in court within 90 days from the date of issue of this Notice, you—
 - (a) will be liable to a late payment fee equivalent to 50% of the fixed penalty, in addition to the Fixed Penalty;
 - (b) will be issued a departure prohibition order preventing you from leaving Fiji; and
 - (c) will not be able to renew your licence or vehicle registration.
6. You may pay your Fixed Penalty and late payment fee in a single payment or in instalments.
7. The departure prohibition order and your ineligibility for licence or vehicle registration renewal will continue until you pay your Fixed Penalty and late payment fee in full or provide a Statutory Declaration or elect to dispute this Notice in court.
8. If you do not pay your Fixed Penalty and late payment fee in full or provide a Statutory Declaration or elect to dispute this Notice in court within 12 months from the date this Notice is issued to you, this Notice will take effect as a conviction and the Land Transport Authority may suspend your licence and seek the maximum penalty and demerit points applicable, from the court.

_____ <i>(Name of Authorised Officer or Police Officer)</i>	_____ <i>(Signature of Officer)</i>	_____ <i>(Date)</i>
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AFFIDAVIT OF SERVICE
(To be completed in all cases)

I, _____, the Authorised Officer or Police Officer whose signature appears on the Traffic Infringement Notice above, make oath and say that, on the _____ day of _____, 20__ at _____ I did serve upon the accused person specified therein

OR

affix in a conspicuous position, on the motor vehicle specified therein the copy of that Traffic Infringement Notice.

Sworn by the above named Authorised Officer/Police Officer this ____ day of _____ 20__.

Before: _____

Justice of Peace or Commissioner for Oaths.

FORM 1A – TRAFFIC INFRINGEMENT NOTICE
 FOR OFFENCE DETECTED BY PHOTOGRAPHIC DETECTION DEVICE

LAND TRANSPORT (TRAFFIC INFRINGEMENT NOTICE) REGULATIONS 2017
(Regulation 5(5)(a))

LAND TRANSPORT AUTHORITY
TRAFFIC INFRINGEMENT NOTICE
FOR OFFENCE DETECTED BY PHOTOGRAPHIC DETECTION DEVICE

TRAFFIC INFRINGEMENT NOTICE NO.:

To: _____ *(Name of owner of motor vehicle)*

of _____ *(Address)*

The registered owner of Motor Vehicle Registration No.:

Postal Address: _____ Phone No.: _____

Statement of Offence: _____

Particulars of Offence: _____

Contrary to: _____

Photographic Detected Offence

1. This offence carries a maximum penalty of \$_____ and _____demerit points. If you do not wish to contest this Notice, you are required to pay a Fixed Penalty of \$_____ to the Land Transport Authority.
2. The payment of the Fixed Penalty is due within 90 days from the date of issue of this Notice and is payable at any Land Transport Authority Office nearest to you. All liability in respect of the offence will be discharged and no further action will be taken against you with respect to this particular offence.
3. If you were not the driver of the motor vehicle at the time of the offence and wish to contest this Notice, you must fill in the attached Statutory Declaration Form and disclose to the Land Transport Authority the name and address of the driver of the motor vehicle at the time of the offence (including other relevant information and necessary documentation) within 90 days from the date of issue of this Notice.
4. If you wish to contest this Notice for any other reason, you may elect to dispute this Notice in court.
5. If you fail to pay the Fixed Penalty, provide a Statutory Declaration or dispute this Notice in court within 90 days from the date of issue of this Notice, you—
 - (a) will be liable to a late payment fee equivalent to 50% of the fixed penalty, in addition to the Fixed Penalty;
 - (b) will be issued a departure prohibition order preventing you from leaving Fiji; and
 - (c) will not be able to renew your licence or vehicle registration.
6. You may pay your Fixed Penalty and late payment fee in a single payment or in instalments.
7. The departure prohibition order and your ineligibility for licence or vehicle registration renewal will continue until you pay your Fixed Penalty and late payment fee in full or provide a Statutory Declaration or elect to dispute this Notice in court.
8. If you do not pay your Fixed Penalty and late payment fee in full or provide a Statutory Declaration or elect to dispute this Notice in court within 12 months from the date this Notice is issued to you, this Notice will take effect as a conviction and the Land Transport Authority may suspend your licence and seek the maximum penalty and demerit points applicable, from the court.

_____ <i>(Name of Authorised Officer)</i>	_____ <i>(Signature of Officer)</i>	_____ <i>(Date)</i>
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AFFIDAVIT OF SERVICE
(To be completed in all cases)

I, _____, the Authorised Officer whose signature appears on the Traffic Infringement Notice above, make oath and say that, on the _____ day of _____, 20__ at _____ I did serve upon the accused person specified therein the copy of that Traffic Infringement Notice by

(Mode of service)

Sworn by the above named Authorised Officer this _____ day of _____ 20__.

Before: _____
 Justice of Peace or Commissioner for Oaths.

FORM 1B – STATUTORY DECLARATION FORM

LAND TRANSPORT (TRAFFIC INFRINGEMENT NOTICE) REGULATIONS 2017
(Regulations 5(5)(c), 6(b), 7(ii) and 8)

**LAND TRANSPORT AUTHORITY
 STATUTORY DECLARATION**

TRAFFIC INFRINGEMENT NOTICE NO.:

Note:

- Print clearly using BLOCK LETTERS in the space provided.
- All applicable sections must be completed.
- Complete and return this Form within 90 days or, alternatively, within 12 months from the date of issue of the Traffic Infringement Notice that this Declaration applies to.
- IF YOU ARE RETURNING THIS FORM, **DO NOT MAKE PAYMENT AS A NEW TRAFFIC INFRINGEMENT NOTICE MAY BE ISSUED TO THE PERSON YOU NAME.**
- Please submit your completed Form by hand delivery or post by registered mail to the Photographic Traffic Infringement Processing Unit, Land Transport Authority, PO Box 6677, Valelevu, Nasinu.

**Residential
Address:**

Phone No.:

Give Notice that the person named below was responsible for the offence as prescribed in the Traffic Infringement Notice: *(You are required to provide the name and address of the driver of the motor vehicle at the time the offence was committed)*

Name:

Address:

(You may also provide the following information in the space provided) [Please tick the relevant box if such information will be provided]

The authority, whether oral or written, by which the driver had control, use or management of the motor vehicle at the time the offence was committed;

The address of any premises, other than the address of the driver, from which the driver, or a person acting on behalf of the driver, had control, use or management of the motor vehicle at the time the offence was committed;

Where the motor vehicle was part of a group of motor vehicles that were physically connected at the time the offence was committed, the name and address of the driver of any or all of the motor vehicles forming part of the group of motor vehicles at the time the offence was committed;

If the motor vehicle was stolen at the time an offence was committed, provide a Police Report;

If the motor vehicle was sold to another person at the time an offence was committed, provide a transfer document.

Any other reason or information:

I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1970.

Declared at _____
this _____ day of _____
20_____ before me and I certify that the
declaration was read over in the _____
language to the Declarant who appeared fully to
understand the meaning thereof.

} _____
(Signature of Declarant)

(Office held or nature of Appointment)

FORM 1C – WITHDRAWAL NOTICE

LAND TRANSPORT (TRAFFIC INFRINGEMENT NOTICE) REGULATIONS 2017
(Regulation 10(3))

**LAND TRANSPORT AUTHORITY
WITHDRAWAL NOTICE**

To: _____ (Name of owner of motor vehicle)

of: _____ (Address)

The registered owner of Motor Vehicle Registration No.:

Full Name: _____ **Title:** _____ **Date of Birth:** _____

Residential Address: _____

Postal Address: _____ **Phone No.:** _____

WITHDRAWAL NOTICE

Upon receiving your Statutory Declaration dated _____ and upon disclosure of the name of the driver of the said Motor Vehicle, the Land Transport Authority pursuant to regulation 10 of the Land Transport (Traffic Infringement Notice) Regulations 2017 hereby withdraws Traffic Infringement Notice No. _____ served on you on the _____ day of _____ 20 ____.

_____	_____	_____
<i>(Name of Authorised Officer)</i>	<i>(Signature of Officer)</i>	<i>(Date)</i>

Made this 31st day of March 2017.

P. K. BALA
Minister for Infrastructure and Transport