

Schedule 3 - Categorisation of offences, infringements, and demerit points in terms of section 29 of the Act

CHAPTER 1

Interpretation of Regulations

Definitions

1. (1) In these Regulations,

- (a)* any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned; and
- (b)* for the purposes of this subregulation, regulations 2 to 40, Schedule 1 and 2, charge codes 1000 to 5699 and charge codes 5700 to 5999 of Schedule 3, any word or expression to which a meaning has been assigned in the National Road Traffic Act or National Road Traffic Regulations shall have the meaning so assigned, unless the context indicates otherwise –

“AARTO bank account” means the bank account administered by the Authority for purposes of receiving and disbursing infringement penalties and fees;

“appeal” means an appeal lodged with the Tribunal in terms of section 29B of the Act;

“bank” means a bank as defined in terms of the Banks Act, 1990 (Act No. 94 of 1990);

“designated employee” means an employee designated by the Registrar in terms of section 29J of the Act to perform the administrative work of the Tribunal;

“fleet interface user” means a user who electronically provides the information contemplated in section 17(1)(f)(v);

“form” means a form as provided in Schedule 1 of these Regulations;

(5) In these Regulations, for the purposes of charge codes 6000 to 6499 of Schedule 3, any word or expression in such codes to which a meaning has been assigned in road traffic or transport by-laws of a local authority, shall have the meaning so assigned, unless the context indicates otherwise.

CHAPTER 2

Adjudication procedure

Infringement notice

2.(1) An infringement notice must be issued on the appropriate form AARTO 01, AARTO 02, AARTO 03, AARTO 03a or AARTO 03b.

(2) An infringement notice must be served on the infringer as contemplated in section 17(1) of the Act –

- (a) in the case of form AARTO 03 and AARTO 03a, within 60 days of the date of commission of the infringement: or
- (b) in the case of form AARTO 01 and AARTO 02, immediately upon commission of an infringement.

(3) In the case of an unattended motor vehicle -

- (a) an authorised officer must issue and place form AARTO 31, that notifies an infringer that form AARTO 03b will be served on the infringer, on the motor vehicle; and
- (b) form AARTO 03b must be served within 60 days of the commission of the infringement.

(4) Subject to section 23 of the Act, where a person has allegedly committed an offence, form AARTO 32 must be completed by the authorised officer upon the arrest of the offender must be submitted to the issuing authority in order to record the particulars of the offence on the National Road Traffic Offences Register as contemplated in regulation 30.